

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22766 of 2017

Arising Out of PS. Case No.-295 Year-2016 Thana- KESARIA District- East Champaran

Subhash Kumar Son of Ram Bahadur Pandit, Resident of Village- Manohar Chapra, P.S. Kesariya, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pooja Devi Wife of Subhash Kumar, Daughter of Baliram Pandit, Resident of Village- Balsarwa, P.S. Pipra Kothi, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. AHMAD ALI

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 10-08-2017 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor representing the State of Bihar.

This application, for grant of anticipatory bail, arises out of Kesariya Police Station Case No. 295 of 2016, disclosing offence under Section 406/498A/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The petitioner is the husband of the informant. The matrimonial discord appears to be the root cause of lodging of the First Information Report.

Learned Counsel for the petitioner submits that he is ready to keep the Opposite Party No. 2 with full love and dignity.



There is no reason for this Court to feel that if granted anticipatory bail, the petitioner shall flee from the course of investigation or trial.

It is submitted that the petitioner shall present himself before the Police as and when required and there is no chance that he will tamper with the evidence or influence the witnesses.

Considering the nature of accusation and submission advanced on behalf of the petitioner, this application is allowed.

Let the petitioner, Subhash Kumar, in the event of his arrest or surrender before the Court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate XI, Motihari, East Champaran, in connection with Kesariya Police Station Case No. 295 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court below on two consecutive occasions,



his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Prabhakar Anand/-

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