

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.68031 of 2018

Arising Out of PS. Case No.-1979 Year-2015 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

Lakshman Mahto, son of Late Kapildeo Mahto, Resident of Village- Prabhu
Thakur Ward No. 8, P.S.- Rosera, District- Samastipur (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Suman Kumari, Wife of Lakshman Mahto and Daughter of Jai Naraian Mahto, at present Residing at Village- Morediva, P.S.- Samastipur (Muffassil), District- Samastipur (Bihar).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

2 29-11-2018

Heard the parties.

The petitioner seeks regular bail in connection with Complaint Case vide C.R.No.1979 of 2015 (T.R.No.2706 of 2018) registered for offences punishable under Sections 498(A)/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act..

Allegation against the petitioner is of demand of dowry and torture. The petitioner happens to be husband of the complainant.

Submission of the learned counsel for the petitioner is that earlier also the complainant had lodged a case and compromise was made but thereafter she again left the house and moreover, the petitioner is in custody for about four



months.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that the petitioner is in custody for about four months and the charge sheet has already been submitted, as such let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Samastipur in connection with Complaint Case No.1979 of 2015 (T.R.No.2706 of 2018)..

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

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(Vinod Kumar Sinha, J)



