

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20919 of 2018

Arising Out of PS.Case No. -288 Year- 2016 Thana -FATUHA District- PATNA

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1. Sibiya Devi @ Soniya Devi W/o Bisheshwar Tanti, R/o Vill.- Amari,
P.S.- Khaira, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Sharma

For the Opposite Party/s : Mr. Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-04-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Fatuha P.S.Case No.288 of 2016, registered for offences punishable under Section 420 of the Indian Penal Code and Section 3/4 of the D.P. Act.

Allegation against the petitioner is that he fixed the marriage of his niece with the son of Bisheshwar Tanti and thereafter Bisheshwar Tanti took Rs.2,00,000/- as dowry for constructing the house. Further Rs.3,00,000/- was taken for purchase of vehicle but later on started demanding Rs.10,000/- as dowry for fixing date of the marriage.

Submission of the learned counsel for the petitioner is that the allegation is false and concocted and moreover Bindeshwar Tanti and others have been granted anticipatory bail by a Co-ordinate Bench of this Court, vide order dated 27.2.2018 passed in



Cr. Misc. No.10939 of 2018

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that other accused persons having similar allegation have been granted privilege of the anticipatory bail, as such, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released 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 Smt. Savita Rani, J.M. 1st Class, Patna City in connection with Fatuha P.S.Case No.288 of 2016 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

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 investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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