

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34842 of 2018

Arising Out of PS.Case No. -138 Year- 2017 Thana -SAHKUND District- BHAGALPUR

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1. Bhavesh Kumar Son of Chhote Lal Singh Resident of Village - Fulwaria,
P.S. Shahkund (Sajour), District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-07-2018 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Shahkund (Sajour) Police Station Case No. 138 of 2017,
disclosing offences under Sections 120B, 406, 419, 420 and 506
of the Indian Penal Code.

Prosecution case is that the petitioner has gone to
perform his second marriage and when the marriage ceremony
was going on, first wife of the petitioner appeared and disclosed
the factum of his earlier marriage, then, the petitioner and other
family members were made captive by the family members of
the girl with whom he had gone to perform marriage and was
asked to pay Rs. 5,20,000/- for the expenses incurred in



marriage, thereafter, the informant, who is relative of the first wife of the petitioner, paid the money and got them released. Later on when the informant demanded his money back, the petitioner refused to pay the same.

Submission of learned counsel for the petitioner that no such transaction has taken place and he has falsely been made accused in this case. He has also lodged a matrimonial suit against the first wife and only to put pressure on the petitioner this false case has been lodged. Moreover other co-accused, who is father of the petitioner has already been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 20.12.2017, passed in Cr. Misc. No. 61623 of 2017.

Having heard both sides, considering the facts and circumstances of the case and also the fact that other co-accused has already been granted the privilege of anticipatory bail, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Sub Divisional Judicial Magistrate, Bhagalpur, in connection with Shahkund (Sajour) Police Station Case No. 138 of 2017, subject to the condition laid down under



Section 438 (2) of the Code of Criminal Procedure. It is further subject to the condition that:-

I. One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the court concerned.

II. The petitioners shall cooperate in the investigation and make himself available as and when required by the police and on the event on failure of his part to appear before the police on two consecutive dates, the prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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