

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68743 of 2018

Arising Out of PS. Case No.-316 Year-2014 Thana- KESARIA District- East Champaran

Santosh Kumar @ Santosh Kumar Singh @ Santosh Singh, Son of Maheshwar Singh, Resident of Village-Tajpur, Police Station-Kesharia, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Priyesh Kumar, Advocate
For the State	:	Mr. Dr. Ajeet Kumar, APP
For the Informant	:	Mr. Rajeev Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 22-11-2018 Heard learned counsel for the petitioner, learned counsel for the State as well as learned counsel for the informant.

The petitioner, who is in custody, seeks bail in connection with (G.R. Case No. 6501 of 2014) Kesharia P.S. Case No. 316 of 2014 registered for the offence punishable under Sections 498(A), 406, 380, 323 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against petitioner is of torturing for non-fulfillment of demand of dowry and she was ousted from her matrimonial Home after snatching her belongings worth Rs. 1,50,000/-.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to family dispute and matrimonial discord. There was no demand



of dowry from any members of his family. Petitioner has no criminal antecedent and he is in custody since 04.09.2018.

Learned Counsel for the informant has vehemently opposed the prayer for grant of regular bail to the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, in connection with (G.R. Case No. 6501 of 2014) Kesharia P.S. Case No. 316 of 2014 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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