

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.23198 of 2018**

Arising Out of PS.Case No. -97 Year- 2017 Thana -PATNA CITY CHOWK District- PATNA  
=====

1. Sunny Kumar son of Om Prakash Yadav resident of Mohalla Ghasiyari  
Tola, P.S. Chowk, District Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s  
=====

**Appearance :**

For the Petitioner/s : Mr. Bijendra Prasad Sinha

For the Opposite Party/s : Mr. Sri Arun Kumar Pandey  
=====

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      19-04-2018      Heard the parties.

The petitioner is apprehending his arrest in connection with  
Chowk P.S.Case no.97 of 2017 , registered for offences  
punishable under Sections 341, 323, 354(d), 307, 379, 504, 506  
and 34 of the Indian Penal Code.

Allegation against the petitioners is of dragging the  
daughter of the informant in the market along with the other  
accused persons.

Submission of the learned counsel for the petitioners is that  
the whole prosecution case is false and concocted, as a matter of  
fact the girl has been married with the petitioner, which will  
appear from Annexure-2, which is a certificate given by the  
Marriage Registrar and thereafter the accused persons have taken  
her in *Bidai* and they are not allowing her to live with the



petitioner and for that purpose a case for restitution of conjugal right has been filed before the learned Family Court.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, 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 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 Sri Sushant Ranjan, J.M. 1<sup>st</sup> class, Patna City, district Patnain connection with Chowk P.S.Case no.97 of 2017, 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 observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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