

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22826 of 2018

Arising Out of PS. Case No.-68 Year-2017 Thana- SURYAPURA District- Rohtas

Udhav Mishra @ Udhavji Mishra, S/o Dwarika Nath Mishra @ Dwarika Prasad Mishra, R/o Village - Jogiyan, P.S. Brahmpur, District - Buxar.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra, Advocate

For the Opposite Party/s : Mr. Anant Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 30-04-2018 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Suryapura P.S. Case No.68 of 2017, registered for the offence punishable under Sections 376 and 420/34 of the Indian Penal Code and under Section 3/4 of the Dowry Prohibition Act.

Allegation has been made that the petitioner has entered into the marriage with the informant in Yakshini Bhawani Mandi and assured that marriage will be done later on, but when the time has come, the parents of the petitioner demanded Rs.10 lakhs and one Bolero vehicle. On that account, the marriage could not be settled. Further allegation has been made to have entered into the physical relationship. However,



the statement of the informant recorded under Section 164 of the Cr.P.C. and the affidavit that has been filed by her shows that she has withdrawn her earlier statement of physical relationship.

Looking to the entire facts and circumstances of the case, let the petitioner, namely, Udhav Mishra @ Udhavji Mishra, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Bikramganj, District- Rohtas, in connection with Suryapura P.S. Case no.68 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioner for the purposes of investigation and interrogation, he will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

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