

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7925 of 2019

Arising Out of PS. Case No.-800 Year-2018 Thana- KOTWALI District- Patna

Aditya Sinha, Son of Ajyendra Narayan Sinha Resident of Hotel Central, 4th Floor, Station Road, Goriya Toli, P.S. - Kotwali, Distt. - Patna at present Someshwar Bhawan, Station Road

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akshansh Ankit

For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-02-2019 Heard learned counsel for the parties.

This application, for anticipatory bail, arises out of Kotwali P.S. Case No. 800 of 2018, disclosing offences under Sections 342, 323, 324 and 498A of the Indian Penal Code.

In compliance of this Court's order dated 11.02.2019, the petitioner is personally present. It is stated on his behalf, which is not in dispute, that he had arranged the air ticket(s) for the informant to come to Patna from Mumbai to attend the present Court's proceeding. The informant has, however, expressed inability to appear, despite order of this Court dated 11.02.2019.

Learned counsel, appearing on behalf of the informant, has vehemently opposed the prayer for anticipatory



bail of the petitioner, on the ground, *inter alia*, that the petitioner is accused in at least two cases for the offences punishable under Sections 290/34 of the Indian Penal Code and Section 37(b) and 37(c) of the Bihar Prohibition and Excise Act, 2016. She has also contended that considering the seriousness of the allegations made in the First Information Report, the petitioner does not deserve privilege of anticipatory bail.

Considering the conduct of the petitioner that he has presented himself before this Court in compliance of this Court's order dated 11.02.2019 and that there is no material to suggest that he will be fleeing from the course of investigation, inquiry or trial, coupled with the fact that matrimonial discord appears to be the basic reason for institution of the First Information Report, this application is allowed.

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. 10,000/-(ten thousand), with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Kotwali Police Station Case No. 800 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.



This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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