

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14057 of 2019

Arising Out of PS. Case No.-41 Year-2018 Thana- MAHILA P.S. District- Banka *

Gopal Sah about 38 years (Male), S/o Subodh Sah, Resident of Village - Pipra, P.S.- Shambhuganj, District - Banka.

... .. Petitioner

Versus

1. The State Of Bihar
2. Kanchan Devi Wife of Gopal Sah, D/o Hanikant Mandal, aged about 26 years (Female) Resident of Village-Tarkhutta, P.S.-Poraiyahat, District Godda (Jharkhand).

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr.Ram Sevak Choudhary, Advocate
For the Opposite Party	:	Mr.Jitendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 07-03-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 498A, 404, 493, 496, 341, 323, and 504/34 of the Indian Penal Code registered in connection with Mahila P.S. Case No. 41 of 2018.

3. It is submitted that the petitioner has been falsely implicated and in any event there is no accusation of assault by the petitioner nor demand for any dowry etc. by the petitioner who is the husband of the informant. It is submitted that marriage between the parties was solemnized about a decade ago and this is the first complaint of this nature. The petitioner expresses his readiness to keep the informant with due dignity and honour. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be



released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Banka in connection with Mahila P.S. Case No. 41 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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