

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38929 of 2019**

Arising Out of PS. Case No.-51 Year-2019 Thana- ISHAKCHAK District- Bhagalpur

1. Sikandar Tanti aged about 60 years (M), S/o Late Bateshwar Tanti
2. Guddu Kumar @ Amit Kumar aged about 36 years (M), S/o Sikandar Tanti
3. Vishnudev Kumar aged about 30 years (M), S/o Sikandar Tanti  
All resident of village- Ishakchak near Suryamukhi Kali Temple, P.S.-  
Ishakchak, District- Bhagalpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioners : Mr.Indeshwari Prasad Mandal, Advocate

For the Opposite Party : APP

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

2      27-06-2019                      Learned counsel for the petitioners submits that petitioner nos. 1 and 3, namely, Sikandar Tanti and Vishnudev Kumar have been arrested during the pendency of this application and seeks permission to withdraw the same.

2. As prayed, the bail application on behalf of petitioner nos. 1 and 3, namely, Sikandar Tanti and Vishnudev Kumar is permitted to be withdrawn and dismissed as such.

3. Heard learned counsel for the petitioner no. 2 and learned APP for the State.

4. Petitioner no. 2 apprehends his arrest for the offences alleged under Sections 420, 498(A), 376, 120B and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act registered in connection with Ishakchak P.S. Case No. 51 of 2019.

5. As regards petitioner no. 2, Guddu Kumar @ Amit Kumar, it is submitted that the petitioner has been falsely implicated merely because he happens to be the brother of the informant and there is no whisper of any specific act muchless demand of dowry and torture alleged against him. The accusations are general and



omnibus in nature. It is submitted that petitioner no. 2 is living separately from his brother Ayush Kumar @ Guddu, husband of the informant. The petitioner no. 2 claims clean antecedents.

6. Be that as it may, in the event of arrest or surrender of petitioner no. 2 before the court below within six weeks from the date of communication of this order, let him 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 Chief Judicial Magistrate, Bhagalpur in connection with Ishakchak P.S. Case No. 51 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner no. 2.

(ii) That the petitioner no. 2 shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner no. 2 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 no. 2 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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