

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38034 of 2019**

Arising Out of PS. Case No.-186 Year-2017 Thana- MAHKAR District- Gaya
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MAUSAM KUMAR, aged about 32 years, male, Son of Sri Mithlesh Paswan
Resident of Village- Kajichak, Police Station- Islampur, District- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ravi Shanker Pankaj, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 25-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 386 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act registered in connection with Mahkar P.S. Case No. 186 of 2017.

3. It is submitted that the petitioner has been falsely implicated with a view to put pressure for marriage of the informant's daughter with the petitioner as the petitioner is not ready for marriage before completion of his training as Sub-Inspector. There is no material to support the accusation of having given money or gifts to the petitioner. It is further submitted that in any event the ingredients of the offence under Section 386 IPC are not made out. 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 Additional Chief Judicial Magistrate-IX, Gaya in connection with Mahkar P.S. Case No. 186 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following 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 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.

(iv) 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.

(Vikash Jain, J)

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