

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41991 of 2019**

Arising Out of PS. Case No.-15 Year-2019 Thana- MAHILA PS District-
East Champaran

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NIRBHAY RAO, aged about 30 years, male, S/o Late Baidyanath Rao R/o
village- Laukariya, P.S.- Bairiya, Distt.- West Champaran

... .. Petitioner

Versus

1. The State of Bihar
2. Anu Kumari, D/o Shri Niwas Singh R/o village- Jhakhara, P.S.-
Govindganj, Distt.- East Champaran

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Ajay Kumar Singh, Advocate.
For the Opposite Party: Mr. Zainul Abedin, app

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 10-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 341, 342, 323, 325, 406, 506, 307, 313,
498A/34 of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act registered in connection with Mahila (Motihari)
P.S. Case No. 15 of 2019.

3. It is submitted that the petitioner has been falsely
implicated and this is the first complaint of its nature since the
petitioner and the informant were married about 5-6 years ago.
The petitioner expresses his willingness to keep the informant
with due dignity and honour but it is the informant who does not
want to live with the petitioner. 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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Mahila (Motihari) P.S. Case No. 15 of 2019, 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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