

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56841 of 2019

Arising Out of PS. Case No.-426 Year-2018 Thana- BUXAR COMPLAINT CASE District-
Buxar

=====

SURAJ KUMAR, aged about 20 years (M), Son of Bablu Tiwari, Resident of Village -Tekari, P.S.-Tekari, District-Gaya.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sunil Chudihar, Son of Late Halchal Chudihar, Resident of Village -Koransarai, P.S.-Koransarai, District - Buxar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Anish Chandra

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

5 04-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 498(A) & 304B of the Indian Penal Code and Section 4 of D.P. Act.

Complainant is father of deceased who in his written complaint has stated that his daughter Jyoti Kumari was married to the petitioner in the year 2016 but after 8 months of marriage, she returned to her parental home and narrated that her in-laws harassed and tortured her for non-fulfillment of demand of motorcycle and Rs.60,000/-. When the complainant and his son tried to meet victim, petitioner and his family



members misbehaved and abused them and did not allow them to meet the victim.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case.

By order dated 20.11.2019, the Superintendent of Police, Gaya was directed to get an enquiry conducted regarding whereabouts of the daughter of complainant and submit a report to this Court.

Seen the report of Superintendent of Police, Gaya which is kept at Flag G. It has come in the report that victim girl, Jyoti Kumari resided in her matrimonial home at Tekari only for 15 days and thereafter, her parents came and took her away after performing her customary Vidai. At present, she is not residing in her matrimonial home.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Complaint Case No.426 (c) / 2018 subject to the condition as laid down under Section 438(2) of the Cr.P.C



with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

U		T	
---	--	---	--

