

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80440 of 2018

Arising Out of PS. Case No.-137 Year-2018 Thana- SIWAN COMPLAINT CASE District-
Siwan

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Vikash Sah S/o- Dhrupnarayan Sah, Resident of Village - Bhagwanpur, P.S.-
Bhagwanpur, District- Siwan.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Sabita Devi W/o- Vikash Sah, D/o- Sriram Sah, Resident of Village -
Bhagwanpur, District- Siwan At present Resident of Dalpatpur, P.S.-
Maharajganj, District- Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Sri Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 24-04-2019 This application, for grant of anticipatory bail, arises

out of Complaint Case No. 137 of 2018, disclosing offences

under Section 498A of the Indian Penal Code.

Petitioner happens to be husband of the complainant

and allegation against him is of subjecting the complainant to

torture with respect to demand of dowry of one motorcycle.

Submission of learned counsel for the petitioner is

that he is still ready to keep the complainant with himself with

full honor and dignity as a wife and all the allegations levelled

by the complainant is false and concocted.

Heard learned A.P.P. also.

It appears that earlier notice was issued to complainant



– opposite party no. 2 and office note discloses that opposite party no. 2 has appeared through her counsel but none has appeared on her behalf on last occasion and also on today.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, in connection with Complaint Case No. 137 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is further subject to the condition that petitioner shall cooperate in disposal of trial and make himself available as and when required by the court below, otherwise, complainant – opposite party no. 2 shall be at liberty to move before the court below for cancellation of bail bonds of the petitioner.

(Vinod Kumar Sinha, J)

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