

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59885 of 2019

Arising Out of PS. Case No.-530 Year-2018 Thana- GAYA KOTWALI District- Gaya

DHEERAJ KUMAR Son of Vinod Prasad Gupta Resident of Mohalla -
Bairagi, P.S.- Kotwali, Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No. 2
For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 25-09-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 498A, 504, 341, 323, 379, 506 and 385 of the Indian Penal Code registered in connection with Kotwali P.S. Case No. 530 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the ingredients of the offence under Section 498A of the Indian Penal Code are not attracted as the marriage between the parties was admittedly not solemnized. It is stated that the ingredients of the offence under Section 379 of the Indian Penal Code are mere embellishment. There is delay in institution of the FIR on 10.11.2018 for the alleged occurrence for the period between 16.06.2018 and 21.10.2018. 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 CJM, Gaya, in connection with Kotwali P.S. Case No. 530 of 2018,



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 co-operate 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. 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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