

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74569 of 2018**

Arising Out of PS. Case No.-154 Year-2017 Thana- BIHRA District-
Saharsa

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Ajay Kumar S/o Birendra Ray, Resident of Village- Laukahi, P.S. Bihra,
District- Saharsa.

... .. Petitioner

Versus

1. State Of Bihar
2. Chandani Kumari D/o Bechan Ray, Resident of Village- Laukahi, P.S. Bihra, District- Saharsa.

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Pawan Kumar, Advocate.
For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 11-03-2019 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, 323, 498A/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act registered in connection with Bihra P.S. Case No. 154 of 2017.

3. It is submitted that the petitioner has been falsely implicated and the F.I.R. has been instituted one week after Bihta P.S. Case No. 145 of 2017 filed by the petitioner's mother alleging that the petitioner had been kidnapped by the informant's side. It is submitted that the petitioner was abducted and the marriage was performed under fear and threat and without consent of the petitioner, in respect of which he has filed Matrimonial Case No. 63 of 2017 for annulment before the Court of learned Principal Judge, Family court, Saharsa. 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, Saharsa in connection with Bihra P.S. Case No. 154 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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