

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76029 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- MAHILA P.S. District- Lakhisarai

SUCHIT KUMAR, aged about 30 years, Male, Son of Chandramani Yadav
Resident of Village - Gohari, P.S.- Kewal, Distt - Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shobha Kumari D/o of Pairu Yadav, Resident of Village - Koli, P.S.- Halsi,
Distt - Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar
For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 26-11-2019 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, 341 and 323 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Informant has stated in her written complaint that petitioner was married with her in accordance with Hindu rites and customs and from said wedlock, a daughter was born. Petitioner tortured her for non-fulfillment of demand of dowry. She has also alleged scandalous allegation against the family members of petitioner.



It has been submitted on behalf of the petitioner that he has filed a case being Divorce Case No.71/2019 in the court of Principal Judge, Family Court, Lakhisarai. The notice was issued to the informant by the court below but in spite of service of notice, she did not appear before the court below.

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 Lakhisarai Mahila P.S. Case No.16/2019 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)

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