

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56279 of 2018

Arising Out of PS. Case No.-300 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Siki Mahto, S/o Dasai Mahto, resident of Village- Birwasani, P.S. Chhauradano, District- East Champaran.

... .. Petitioner

Versus

1. State Of Bihar
2. Minta Devi, Wife of Silki Mahto at present C/o Brij Mahto, resident of Village- Purandara Janki Tola P.S. Palanawa, District- East Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 22-04-2019 Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. C-300 of 2017, corresponding to Trial No. 2522 of 2018, lodged for the offences punishable under Sections 323, 498A of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of subject his wife to cruelty and ousting her from his house due to demand of dowry.

Submission of learned counsel for the petitioner is that he is still ready to keep her with dignity and care and the whole allegation if false and concocted and no specific allegation has been attributed against him.

In this case, notice was earlier issued to opposite party No.2 and office note shows that in spite of service of notice she



refused to take the notice and registered notice was received by her brother. However, none appears on behalf of opposite party No.2 and vide order dated 8.4.2019 the case was adjourned for non-appearance of opposite party No.2.

Heard learned APP also.

In view of above facts, let petitioner, above named, in the event of arrest or surrender within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran, Motihari, in connection with Trial No. 2522 of 2018, arising out of Complaint Case No. C-300 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition that one of the bailors of the petitioner shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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