

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2224 of 2020**

Arising Out of PS. Case No.-34 Year-2019 Thana- MAHILA P.S. District- Bhagalpur

1. BRAJESH KUMAR, Son of Rajendra Prasad Sah, Resident of Village - Kailashpuri Colony, Mirjanhatt, P.S.- Mujahidpur, District- Bhagalpur, Pin- 812005, Presently posted at Vijaya Bank Now Bank of Baroda, Mungeli Branch near TVS Showroom, Bilaspur Road, P.S.- Mungeli, District- Bilaspur Chhattisgarh, Pin- 495334
2. Ashish Kumar, Son of Rajendra Prasad Sah, Resident of Village - Kailashpuri Colony, Mirjanhatt, P.S. - Mujahidpur, District - Bhagalpur, Pin - 812005, presently residing at 8/B-609, Lambodar CHS limited, Mhada Colony, Poonam Nagar, P.S. - Andheri East, Mumbai, Maharashtra - 400093

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Roona, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

4      14-09-2020                      The matter has been taken up through virtual Court proceeding.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 498A, 420, 379/34 of the Indian Penal Code, Section 3 and 4 of the Dowry Prohibition Act.

The petitioners are brothers of the husband of the informant. Allegation is of demand of dowry and torture for the



same.

It has been informed by learned counsel for the petitioners that husband of the informant, who is doing job in U.S.A., has already filed an application for anticipatory bail before the learned Sessions Judge and interim relief has already been allowed by the learned Sessions Judge. Reconciliation matter is going on.

Learned counsel for the informant opposed the prayer for anticipatory bail.

If the aforesaid fact that husband has already been allowed provisional anticipatory bail by the learned Sessions Judge is correct, let the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bhagalpur Mahila Police Station Case No. 34 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioners shall fully cooperate with the investigation/trial of the case, failing which the learned court



below shall be at liberty to cancel the bail bond of the petitioners.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioners shall not leave the country without permission of the learned trial court.

**(Birendra Kumar, J)**

Kundan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

