

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No. 21436 of 2020

Opi Tanti @ Upendra Tanti, son of Togan @ Sitabi Tanti, Resident of village-Malhay, P.S.-Nawada O.P., District-Banka.

... .. Petitioner

Versus

The State of Bihar

.. ... Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Mukherjee, Advocate
 Mr. Ganesh Sharma, Advocate
 For the Respondent State: Mr. R.B. Roy 'Raman', APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-07-2020 Heard Mr. Ajay Mukherjee, learned counsel appearing on behalf of the petitioner and Mr. R.B. Roy 'Raman', learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of anticipatory bail arises out of Rajoun P.S. Case No. 277 of 2019, registered for the offence punishable under Sections 363 and 366/34 of the Indian Penal Code.

The informant has alleged that his daughter-in-law had gone with her brother and when he had gone to parental house of his daughter-in-law to bring her back, she was not allowed to come back with the informant. Allegedly, the daughter-in-law of the informant has been kept illegally at Rajkot.

Learned counsel appearing on behalf of the petitioner



has drawn my attention to statement made in paragraph 9 of the application in which the statement of the alleged victim, recorded under Section 164 of the Code of Criminal Procedure, has been reproduced. The statement of the alleged victim, recorded under Section 164 of the Code of Criminal Procedure, discloses that she had gone to Rajkot out of her own volition because of ill-treatment meted out to her by her husband.

Considering the facts and circumstances of the case, in my opinion, case for grant of anticipatory bail is made out.

This application is accordingly allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka, in Rajoun P.S. Case No. 277 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

It is indicated that defect, if any, shall be removed



within two months.

Since there is a lock down, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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