

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No. 21432 of 2020

=====

Santosh Bind, son of Indradeb Bind, resident of Village-Jaitpur, P.S.-Chandi,
 District-Nalanda.

... .. Petitioner

Versus

The State of Bihar

.. ... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Anil Kumar Singh, Advocate

For the Respondent State: Smt. Madhuri Lata, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-07-2020 Heard Mr. Anil Kumar Singh, learned counsel
 appearing on behalf of the petitioner and Smt. Madhuri Lata,
 learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of anticipatory bail arises out of Mahila P.S. Case No. 5 of 2020, registered for the offence punishable under Sections 498(A), 323, 504, 506, 341 and 494/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The petitioner is the husband of the informant. It is evident from the First Information Report that the marriage was solemnized nearly 10 years before lodging of the First Information Report. There is allegation of demand of dowry by the in-laws of the informant. The informant has alleged that the petitioner has performed second marriage with another lady in



December, 2019.

Learned counsel appearing on behalf of the petitioner has submitted that because of lack of cordial matrimonial relationship, the criminal case has been registered. He has pointed out that Chandi P.S. Case No. 206 of 2019 has been registered by the in-laws of the informant because of which the Officer In-Charge of Chandi Police Station has recommended for initiation of a proceeding under Section 107 of the Code of Criminal Procedure.

Considering the nature of allegation and the fact that the petitioner and the informant were married 10 years ago, in my opinion, case for grant of anticipatory bail is made out as it *prima facie* appears that matrimonial discord is the main reason behind lodging of the cases by both the parties against each other.

Considering the above, this application is 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 S.D.J.M., Nalanda at Bihar Sharif, in Mahila P.S. Case No. 5 of 2020, 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)

Pawan/-

U		T	
---	--	---	--

