

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40709 of 2019

Arising Out of PS. Case No.-70 Year-2017 Thana- MAHILA P.S District- Supaul

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SHAILENDRA SARDAR @ SHALENDRA SARDAR @ SUMAN @
SUMAN KUMAR Son of Late Kunjilal Sardar Resident of Village- Kushaha,
P.S.- Triveniganj, District- Supaul.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Ful Kumari Devi Wife of Shailendra Sardar @ Suman Kumar, D/o Lalan
Sardar Resident of Village- Rampur, P.S.- Pipra, District- Supaul.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Upendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

6 12-06-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for anticipatory bail arises out of
Suapul Mahila P.S. Case No. 70 of 2017 for the offence
punishable under Sections 498A, 494, 379, 323, 342, 448, 504
and 506/34 of the Indian Penal Code and Section 3 and 4 of D.P.
Act.

The petitioner is the husband of the informant. It
appears that earlier the dispute between them was referred to
Patna High Court Mediation Centre. The report of the Mediator
is available on record, from which it appears that despite best
efforts, mediation did not succeed and the dispute could not be



resolved between the parties amicably.

Learned counsel for the petitioner has submitted that matrimonial discord between the petitioner and the informant is the main reason why criminal case has been lodged containing exaggerated version of the correct state of affairs. He has submitted that there has been no demand of dowry nor any torture meted out to informant. He submits that in any event, considering the nature of allegation, there is no chance of petitioner fleeing away from the course of investigation and trial if granted anticipatory bail.

Considering the above submission, 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., Supaul in Supaul Mahila P.S. Case No. 70 of 2017, 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.

(Chakradhari Sharan Singh, J)

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