

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69642 of 2019

Arising Out of PS. Case No.-380 Year-2019 Thana- FATUA District- Patna

=====

SAURABH KUMAR Son of Bipin Singh @ Bipin Kumar Sinha Resident of
Village - Muksudpur, P.S.- Fatuha, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Tilak Sao

For the Opposite Party/s : Mr.Surendra Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 05-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 341, 323, 354, 379, 504, 506 and 509/34
of the Indian Penal Code, registered in connection with Fatuha
P.S.Case No. 380 of 2019.

3. It is submitted that the petitioner has been falsely
implicated along with his mother in the backdrop of
matrimonial dispute between the informant and her husband
(mama of the petitioner). The informant's husband filed
Matrimonial Suit No. 46 of 2010 for annulment of the marriage
said to have been performed forcibly after he was kidnapped in
1986, but the case was dismissed for default in 2017, after
which a fresh Matrimonial Case No. 378 of 2019 was filed for



divorce. The informant has also filed Fatuha P.S. Case No. 154 of 2010 under Sections 498(A) and 308/34 IPC and Section 3/4 of the D.P.Act against her husband. He has also filed Fatuha P.S.Case No. 288 of 2019 against the informant and her parents. The present case has been filed in retaliation to the aforesaid case. It is further submitted that Sections 354 and 379 IPC have been added as mere embellishment as the other penal provisions areailable.

4. Learned APP appears and has been heard.

5. Be that as it may, in the event of petitioner's arrest or surrender before court below within six weeks from the date of communication of this order, let the above named petitioner 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 learned ACJM-V, Patna City in connection with Fatuha P.S.Case No. 380 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.



(iii) That the petitioners shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

HR/-

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

