

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85621 of 2019

Arising Out of PS. Case No.-304 Year-2019 Thana- BAIRIYA District- West Champaran

MITHUN KUMAR @ MITHUN KUMAR BISHWAS, Son of Sri Nilkant Vishwas, Resident of Village - Majhariya Colony, Ward No. 1, P.S.- Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 24-01-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 376, 504, 506/34 of the Indian Penal Code, Sections 3 and 4 of the Dowry Prohibition Act.

Allegation against the petitioner is of physical relation with the informant-a major girl. Petitioner took the informant to his house as wife. However, parents of the petitioner thrashed her out of the house. There was *Panchayati* and thereafter allegation is of demand of dowry. There is no material to substantiate that the petitioner is going to tamper with the evidence or abscond the process of law.

Considering the entire facts of this case, let the



petitioner, above named, in the event of his arrest or surrender before the 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) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Bairiya Police Station Case No. 304 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 petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

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

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

(Birendra Kumar, J)

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