

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6481 of 2020

Arising Out of PS. Case No.-86 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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SONU KUMAR, S/o Om Prakash Sah Resident of Village- Sahkund, P.O.
Sahkund, Tahwal Nagar, P.S.- Sahkund, Distt- Bhaglapur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sangita Devi W/o Sonu Kumar, D/o Ajay Prasad Resident of Village-
Sindhua Toli, Chai Tola, P.S.- Alamganj, Distt- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Chaurasia, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, App

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

5 26-03-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 498 - A of
IPC and Section 4 of DP Act.

Allegation against the petitioner is of torturing the
opposite party no.2 (wife) for non-fulfillment of demand of Rs.
2 lacs and also stopped her food and instigated her to commit
suicide.

Vide order dated 23.06.2020, on the submission of
learned counsel for the petitioner and learned counsel for the
informant that there is chance of settlement of dispute between



the parties, the matter was referred to Mediation Centre, Patna High Court, Patna for mediation and settlement of dispute. However, it is submitted that due to Covid - 19 pandemic, the mediation could not take place.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It is further submitted petitioner is ready to keep his wife with full honour and dignity and for this reason, petitioner had also filed Matrimonial Case No.53/2019 dated 14.02.2019 before the Principal Judge, Bhagalpur under Section 9 of Hindu Marriage Act for restitution of conjugal right.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Complaint Case No.86/2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court



concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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