

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6830 of 2020

Arising Out of PS. Case No.-1375 Year-2017 Thana- COMPLAINT CASE District- Jamui

UTTAM THAKUR @ UTTAM KUMAR THAKUR Son of Ramswarup Thakur Resident of Village- Najri, P.O.- Haveli Kharagpur, P.S.- Gangta More, District- Munger. At present Village- Gopal Danga, P.O.- Siyarsol Rajwari, P.S.- Raniganj Musapalti, District- Burdwan (West Bengal).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Pushpa Kumari Wife of Uttam Thakur, Daughter of Rajendra Thakur Resident of Village- Khaira, P.S.- Khaira, District- Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Adv.

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 05-03-2021 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner apprehends his arrest in a case registered under Section 498A of the Indian Penal Code and $\frac{3}{4}$ of the Dowry Prohibition Act.

Complainant has alleged in her complaint petition that she was married with petitioner on 20.04.2016 as per Hindu Rites and Customs. However, after marriage she was being tortured by the petitioner and his family members on account of non-fulfillment of demand of dowry of Rs. 3 lacs.

Notices were issued to opposite party no. 2, however, in spite of valid service of notice, she has chosen not to appear



before this Court.

It has been submitted on behalf of the petitioner that thereafter opposite party no. 2 has solemnized marriage with another person on 24.06.2018 and one son is also born from the said wedlock. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jamui, in connection with Complain Case No. 1375C of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure 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 properly represented on each and every date fixed by the court and his absence



on two consecutive dates without proper and sufficient reason the trial court will be at liberty 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)

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