

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28025 of 2021**

Arising Out of PS. Case No.-243 Year-2020 Thana- DUMRA District- Sitamarhi

SIKINDAR RAUT S/O Sitaram Raut Resident of Village- Komhra Vishanur,
P.S.- Dumra, Dist.- Sitamarhi.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 22-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Dumra P.S. Case No. 243 of 2020 registered for the offences punishable under Sections 498(A), 341, 323, 379/34 of the I.P.C.

According to prosecution case, the informant was married to the petitioner and from beginning she has been tortured on account of dowry demand. The informant further alleges that petitioner and his other family members used to devoid her from any meals and petitioner also says that she is not being liked and appreciated by him. Various attempts of



mediation and conciliation have been taken by Panchayat but all went in vain. On many occasions, the informant was ousted from her matrimonial house. The informant further alleges that petitioner solemnized his second marriage with a married lady.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and he has falsely been implicated in the present case. Learned counsel further submits that petitioner filed anticipatory bail in the court of learned Sessions Judge, Sitamarhi vide ABP No. 1625 of 2020 and matter was referred to the mediation centre and date was fixed for mediation between the parties on 22.01.2021. Learned counsel further submits that on that day the petitioner made himself present but informant was not present due to that next date had been fixed for mediation on 23.01.2021 but on that day family members of the informant assaulted the petitioner and from where petitioner was handed over to the police and in result, mediation failed. Learned counsel further submits that charge sheet has already been submitted. Petitioner has clean antecedent and is in custody since 24.01.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as



well as submissions of the parties, let the petitioner, above named, 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 Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No. 243 of 2020, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of



bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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