

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28363 of 2021

Arising Out of PS. Case No.-203 Year-2020 Thana- KANKARBAG District- Patna

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SANDEEP KUMAR S/O GANSHYAM PRASAD R/o village- Kuawan, P.S.-
Chakiya, District- East Champaran (Motihari)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sarvan Kumar

For the Opposite Party/s : Mrs. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-07-2021 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

Learned counsel for the petitioner is directed to remove the
defects, as pointed out by the Office, within a period of four
weeks after restoration of normalcy.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code and ³/₄
of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner has falsely been implicated in the present case due to



petty family dispute. The case is triable by the Magistrate. The petitioner has relied upon the judgment of this Court in the case of ***Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of three weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Judicial Magistrate, 1st Class, Patna in connection with Kankarbagh P.S. Case No. 203 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

It has further been brought to the notice of this Court that the petitioner is working in United States of America. After furnishing of bail bond, the petitioner may leave the country



only after getting permission from the Court below. The Court below shall ensure that the trial is concluded at the earliest. If the Court below finds that the petitioner is not cooperating in the trial, the Court below will be at liberty to cancel the bail bond of the petitioner.

(Sudhir Singh, J)

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