

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46089 of 2021

Arising Out of PS. Case No.-9 Year-2021 Thana- MAHILA P.S. District- Banka

MUNNA KUMAR TANTI @ MUNNA KU. TANTI S/o Manohar Tanti R/o
village- Kastkari, P.S.- Shambhuganj, District- Banka

... .. Petitioner

Versus

1. The State of Bihar
2. Sindhu Kumari D/o Baldeo Tanti Sah R/o village- Letwa, P.S.- Jaipur,
District- Banka

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate
For the State : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-12-2021 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 Banka Mahila P.S. Case No. 09 of 2021 registered for the offences punishable under Sections 498(A), 494/34 of the IPC and Section 3/4 of Dowry Prohibition Act.

The prosecution case, in brief, is that, the marriage of informant/opposite party no. 2 was solemnized with the petitioner on 06.05.2019. It is further alleged that soon after the marriage, the petitioner and his family members started



torturing the informant physically and mentally for dowry. It is further alleged that on 02.01.2021, the informant was assaulted and she was ousted from her matrimonial house by the accused persons. It is further alleged that petitioner performed second marriage.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. It is further submitted that merely on the basis of suspicion, the present FIR has been lodged. Petitioner is husband of the informant/opposite party no. 2. Petitioner is in custody since 18.03.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, 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 Sub-divisional Judicial Magistrate, Banka in connection with Banka Mahila P.S. Case No. 09 of 2021, 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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