

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31569 of 2021

Arising Out of PS. Case No.-26 Year-2020 Thana- GOPALPUR District- West Champaran

Bara Babu @ Bara Babu Singh S/o Late Paras Singh R/o village- Sargatia,
P.S.- Gopalpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Brij Kishor Mishra, Advocate
For the Opposite Party/s :	Mr. Nirmal Kumar Sinha, Advocate
	Mr. Bimlesh Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 05-01-2022 The applicant/accused in Crime No. 26 of 2020 registered with Gopalpur Police Station for the offences punishable under Sections 341, 323 and 498A of the Indian Penal Code as well as Sections 3/4 of the Dowry Prohibition Act at the instance of first informant Nita Devi, by this application is seeking his release on bail during the course of the trial.

Heard the learned counsel appearing for the applicant/accused.

The learned Prosecutor argued that notice be issued to the wife. He submits that there is demand of dowry.

The learned counsel appearing for the first informant opposed the application by contending that the applicant had subjected the first informant to the cruelty and



had demanded dowry time and again.

I have considered the submissions so advanced and also perused the material placed before me.

The offence is matrimonial in nature and it is well settled that in such offences there should be an attempt on the part of the parties to get it amicably settlement. Putting the husband behind the bars would not serve any purpose in such matters. This Court hopes and expects that the matter shall be settled amicably between the parties.

In this view of the mater, further pretrial detention of the applicant/accused is not warranted and hence, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 26 of 2020 registered with Gopalpur Police Station for the offences punishable under Sections 341, 323 and 498 of the Indian Penal Code as well as Sections 3/4 of the Dowry Prohibition Act be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the



facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

Bhardwaj/-

U		T	
---	--	---	--

