

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37797 of 2021

Arising Out of PS. Case No.-4 Year-2021 Thana- MAHILA P.S. District- Sitamarhi

ASHIRWAD KUMAR Son of Mohan Prasad Resident of Mohalla - Purani
Exchange Road, Ward No. 18, P.S. - Sitamarhi, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv. Ms. Kumari Anupam, Adv.
For the State	:	Mrs. Madhubala Verma, APP.
For the Informant	:	Mr. Ajay Kumar Verma, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 28-02-2022 Heard learned counsel for the petitioner, learned
counsel for the informant 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 Mahila
(Sitamarhi) P.S. Case No. 04/2021 registered for the offences
punishable under Sections 323, 498A, 504, 506/34 of the IPC
and $\frac{3}{4}$ of D.P. Act.

The gist of the prosecution case is that the informant
was married with petitioner on 21.02.2019 and after two-three
months of marriage demand of one Scropio vehicle or rupees 12



lacs in cash was made by the petitioner and other accused persons. Lastly, on non-fulfillment of said demand, the informant was assaulted by the accused persons.

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. He further submits that it appears from the FIR that there is general and omnibus allegation. He further submits that petitioner is ready to keep the informant with all due respect and care. Petitioner is in custody since 22.03.2021.

Learned counsel for the informant on instruction submits that informant is willing to live with the petitioner, if the petitioner is ready to keep her with all due respect and care.

Considering the aforesaid facts and circumstances, 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 Mahila (Sitamarhi) P.S. Case No. 04/2021, 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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