

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56110 of 2021

Arising Out of PS. Case No.-76 Year-2021 Thana- KATORIYA District- Banka

Upendra Kumar Das Son of Nand Kishore Das Resident of Village- Hathgarh
(Radhanagar), P.S.- Katoria, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Veena Kumari Daughter of Indradeo Das Resident of Village- Chagakhar,
P.O. and P.S.- Fullidumar, District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-04-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public prosecutor for the State through video
conferencing.

Petitioner seeks bail in a case registered in connection
with Katoria P.S.Case No. 76 of 2021 for the offences
punishable under Sections 498A/34 of the Indian Penal Code
and $\frac{3}{4}$ of the Dowry Prohibition Act.

As per prosecution case, the marriage of the
informant was solemnized with the petitioner in the year 2017
and out of the wedlock a female child was born. It is further



alleged that after birth of girl child, the husband and all family members started making demand of dowry and she has been subjected to torture.

Learned counsel further submits that petitioner is husband of the informant and he is ready to keep the informant with full honour and dignity. Petitioner is in custody since 10.05.2021. Counsel for the petitioner lastly submits that it is informant who flew away with her baby in her parental house and when the petitioner went to his Sasural, she refused to come with him.

The learned A.P.P opposed the prayer for bail of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the fact that, petitioner is ready to keep his wife with full honour and dignity and is in custody since 10.05.2021, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/0- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Katoriya P.S.Case No. 76 of 2021, on the following conditions:-

“(i) Petitioner shall co-operate in the trial and shall be



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

(ii) 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”

(Harish Kumar, J)

N.K/-

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

