

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56869 of 2023

Arising Out of PS. Case No.-593 Year-2023 Thana- KAHALGAON District- Bhagalpur

SIKANDAR MANDAL @ SIKENDRA MANDAL Son of Late Ramkishor Mandal Resident of Village, Lailakh Post Mamalkha Police Station Sabour within the town and District Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. BEBI DEVI W/o Sikandar Mandal Presently R/o Resident of Village, Lailakh Post Mamalkha Police Station Sabour within the town and District Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anupa Nand Jha, Advocate
For the Informant	:	Mr. Subodh Prasad, Advocate
For the State	:	Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 13-12-2023 Heard Mr. Anupa Nand Jha, learned counsel for the petitioner, Mr. Subodh Prasad, learned counsel appearing on behalf of the Informant as well as Mr. Vinod Shankar Modi, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Kahalgaon (Shivnarayanpur) P.S. Case No. 593 of 2023, G.R. No. 2786 of 2023, F.I.R. dated 23.05.2023 registered for the offences punishable under Sections 341, 323, 494, 498(A), 504, 506/34 of the Indian Penal Code.

3. Petitioner is the husband of the Informant. Allegation is of demand of dowry and torture for the same.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that the petitioner is ready to pay Rs. 20,000/- per month to the informant as well as her children for maintenance till the disposal of the maintenance case which was instituted by the informant.

5. Learned counsel appearing on behalf of the Informant has no objection in this regard.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon (Shivnarayanpur) P.S. Case No. 593 of 2023, G.R. no. 2786 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) The petitioner shall pay Rs. 20,000/- per month to the Informant namely Bebi Devi which starts from the month of January, 2024 vide S.B.I. Account No. 41889034851, CIF No.



91194693175 and if the petitioner fails to pay Rs. 20,000/- in any month to the Informant in her account, the informant is at liberty to move before the learned Court below for cancellation of his bail bond.

(2) 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.

(3) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(4) 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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