

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68535 of 2022**

Arising Out of PS. Case No.-652 Year-2019 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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SONU KUMAR @ SONU KUMAR MISHRA S/o Jay Narayan Mishra R/v-
Bangaon Utri, ward no. - 07, P.S.- Saharsa, District- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. NIDHI KUMARI W/o Sonu Kumar @ Sonu Kumar Mishra D/o Tirthdatta
Jha R/v- Mahishi, P.S.- Mahishi, District- Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.
For the Opposite Party/s : Mr. Choubey Jawahar, Adv.

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 24-04-2023

1. Heard both the parties.

2. The petitioner seeks bail in anticipation of his arrest in connection with Complaint case No. 652C/2019 dated 17.06.2019, instituted for the offences under Sections 323, 498(A) of the I.P.C. and Sections 3/4 of D.P. Act.

3. The case is originally registered under Sections 3/4 of the Dowry Prohibition Act by filing of a complaint by the wife. Thereafter cognizance was taken under Section 498(A). The petitioner is the husband of the complainant. The marriage took place on 22.06.2018.

4. Learned APP for the State opposes the prayer for grant of bail.

5. However, this court finds that the complaint was filed in



2019, while the apprehension of arrest has now arisen. Taking into consideration the other aspects and that there may be some chances of compromise between the husband and wife, I am inclined to grant anticipatory bail to petitioner, namely, Sonu Kumar @ Sonu Kumar Mishra and in the event of arrest, he shall be released on bail subject to the conditions as laid down under Section 438(2) of the Cr.P.C., which are as under:-

I. The petitioner shall cooperate with the investigation and make himself available for interrogation whenever required.

II. The petitioner shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer,

III. The petitioner shall not obstruct or hamper the police investigation and not play mischief with the evidence collected or yet to be collected by the police;

IV. The petitioner shall maintain law and order;

V. The petitioner shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

VI. The petitioner shall surrender his passport, if any, before the investigating officer within a week and, if he does not possess any passport, he shall file an affidavit to that effect before the



investigating officer;

VII. The petitioner shall regularly remain present during the trial and cooperate with the Hon’ble Court to complete the trial for the above offences.

(Sanjeev Prakash Sharma, J)

Suraj/-
Item No. 95

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