

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 37293 of 2020

Arising Out of PS. Case No.-721 Year-2019 Thana- BEGUSARAI TOWN District- Begusarai

Babloo Poddar S/o Satyanarayan Poddar Resident of village- Mohanpur, P.S.-
Mufassil, District- Begusarai, presently resident of Qr. No. E1/143, Barauni
Refinery Township, P.S.- Nagar, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr Bharat Lal, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 25-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Begusarai Nagar (Lohiya
Nagar Outpost) Police Station (for brevity, *PS*) Case No 721 of
2019 dated 08.12.2019 instituted for the offence punishable
under Sections 420, 376, 384, 323, 506 of Indian Penal Code
and Section 3 of Dowry Prohibition Act.

The father of the complainant/informant approached
the petitioner in the process of finalization of marriage proposal
of the complainant/informant with the petitioner. The petitioner
has allegedly taken advantage of the ongoing marriage
negotiations and physically exploited the complainant.
Subsequently, the allegation is that the petitioner and his family



members have refused to solemnize marriage unless their demand for dowry of Rs 11 lacs is fulfilled.

Learned counsel for the petitioner submits that the petitioner was married since before. The complainant/informant's efforts to finalize the marriage with the petitioner has failed and, therefore, to wreck vengeance, prosecution has been lodged mala fide. Petitioner is a Government servant in a statutory Corporation. There are no details regarding the date and time of alleged physical exploitation nor is there any medical evidence to support the allegations. Petitioner is in custody since 10.08.2020.

Learned counsel for the informant and the learned APP have opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 01st Class, Begusarai in Begusarai Nagar (Lohiya Nagar Outpost) PS Case No 721 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to



how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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