

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5084 of 2022

Arising Out of PS. Case No.-215 Year-2018 Thana- PATRAKARNAGAR District- Patna

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Gaurav Kumar Son of Manohar Ram @ Manohar Rawat R/O Village-
Patsanha, Gidhor, P.S.- Gidhor, District- Jamui At Present R/O. Flat No.-501,
Quality Complex Mandiri, P.S.- Budha Colony, District- Patna- 800001.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period

of four weeks from today.

The petitioner seeks bail in connection with Patrakar

Nagar P.S. Case No. 215 of 2018 registered for the offence

under Sections 498A, 354 and 385 of Indian Penal Code and

Section 3/4 of Dowry Prohibition Act.

The accused/petitioner is named in the F.I.R. and is in

custody since 07.12.2021.

The allegation against the petitioner is to subjecting

her wife to cruelty and also to raise demand of Rs.7 Lakh in

cash as dowry.



Learned counsel appearing on behalf of the petitioner submitted that the petitioner has already been granted anticipatory bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 60825 of 2018 dated 17.12.2019, having condition to pay Rs.6,000/- per month for maintenance of the wife/informant. It has further been submitted that due to financial hardship, the order was not complied within stipulated period of time, consequent upon, the modification of said order was preferred before the Hon'ble High Court, wherein six weeks' time was allowed to the petitioner. It has further been submitted that as the account number was not made available, the petitioner failed to comply the order of the Court to deposit money in favour of wife/informant and in the meantime, he has been arrested. It has further been submitted that the informant and petitioner's daughter, who is aged about 5 years living with her mother having their own source of income from modelling and business, cannot be said dependent solely on the earning of the petitioner. It has further been submitted that investigation in this case is complete and chargesheet has been submitted, as such there is no chance of tampering with the evidence. It has further been submitted that the informant also filed a complaint in the year 2017 regarding cruelty against the petitioner, in



which petitioner is on bail. While concluding the argument, learned counsel submitted having instructions of petitioner to pay Rs.2,500/- (Rupees Two Thousand Five Hundred) per month to his daughter, namely, Laado Bani Patel for her education, at present.

Learned APP duly assisted by learned counsel appearing on behalf of the informant, Sri Sanjiv Sharan submitted that the account number of the wife/informant already supplied to the petitioner but petitioner intentionally not complied with the directions of this Court to pay monthly amount of maintenance.

Learned counsel appearing on behalf of the petitioner conceded to have bank account details of his wife, namely, Ragini, as supplied by learned counsel appearing on behalf of the informant.

Considering the facts and circumstances as mentioned above, in view of the period in custody coupled with the fact that chargesheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Patrakar Nagar P.S. Case No. 215 of 2018 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Sub Divisional Judicial Magistrate, Patna, subject to the following conditions:

“(i) Petitioner shall pay Rs.2,500/- (Rupees Two Thousand Five Hundred) per month for the education/maintenance of minor daughter Lado Bani Patel, the said amount shall be deposited in the bank account of wife of the petitioner, namely, Ragini, having account in **Punjab National Bank, Hanuman Nagar Branch, Patna, having Account No. 7945000100024561**, the details of bank account of the wife/informant already supplied to learned counsel appearing on behalf of the petitioner. The amount of Rs.2,500/- (Rupees Two Thousand Five Hundred) be transferred to the above mentioned account positively on or before seventh day of every calendar month, on failing for three consecutive months, the bail bond of the petitioner shall be cancelled by the Trial Court, itself.

It is made clear that the receipt of



first installment, as regard to the deposit in the above mentioned account, be placed before the Court concerned at the time of furnishing of bail bond.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(iii) That one of the bailors shall be Sujit Kumar, who is the brother-in-law of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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