

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11249 of 2022

Arising Out of PS. Case No.-220 Year-2019 Thana- TARARI District- Bhojpur

VIJAI SINGH @ VIJAI KUMAR SINGH S/O LATE RANG BIHARI
SINGH RESIDENT OF VILLAGE- KARATH, P.S.- TARARI, DISTRICT-
BHOJPUR (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Om Prakash Pandey, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 498(A), 323, 307, 379/34 of the
Indian Penal Code.

The informant is subjected to assault and torture
on account of non fulfillment of demand of dowry.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that the petitioner happens to be husband of
the informant and as a matter of fact, the petitioner has been
granted the privilege of anticipatory bail vide A.B.P. No. 1858



of 2020 by the court below itself in which the parties have filed a joint petition contending that they will live together since 27.10.2020 and also both will avoid litigation and both party will take care to each other and look after of children. He further submits that the petitioner has not honour the terms and condition of the anticipatory bail and on default, the bail bond of the petitioner has been canceled. He, however, submits that the parties are ready to compromise the matter for settlement of their dispute, therefore, in order to explore the possibility of amicable settlement, the petitioner may be enlarged on bail. The petitioner is rotting in judicial custody since 03.12.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Tarari P.S. Case No. 220 of 2019/ G.R. No. 5462 of 2019 with the following conditions:-

(1) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

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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