

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12148 of 2022**

Arising Out of PS. Case No.-322 Year-2020 Thana- KOTWALI District- Patna

Sagar Kumar son of late suresh singh resident of village - dharampur, p.s.- Athmalgola, Distt.- Patna (Wrongly written in FIR as Village - Fulelpur, Dist.- Fulelpur) Present address Village - Barh Malahi, P.s.- Barh, Distt.- Patna, and at Present resident at Boring Canal Road, Panchmandir, P.s.- Kotwali, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                 |
|--------------------------|---|---------------------------------|
| For the Petitioner/s     | : | Mr. Binay Kumar Singh, Advocate |
| For the Opposite Party/s | : | Mrs. Pushpa Sinha, APP          |
| For the Informant        | : | Sri S.D. Sanjay, Sr. Advocate   |
|                          | : | Mr. Ananya maitin, Advocate     |
|                          | : | Mr. Anand Kumar, Advocate       |

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

4      24-11-2022                      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 Kotwali P.S. Case No. 322 of 2020 registered for the offence under Sections 498(A), 315, 504, 506/34 of Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 24.07.2021.

The allegation against the petitioner is to commit



cruelty against his wife/O.P. No. 2 along with other family members/co-accused for not fulfilling the demand of dowry as raised for cash of Rs. 2,00,000/-, TV and one motorcycle.

Learned counsel appearing on behalf of the petitioner submitted that petitioner was falsely implicated in present case. It is further submitted that petitioner is willing to continue his conjugal life with O.P. No. 2. It is also submitted that petitioner is in custody since 27.07.2021 and moreover, investigation of this case is completed long back, where charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP and learned senior counsel, S.D. Sanjay, while opposing the prayer of bail fairly conceded the fact that O.P. No. 2 already decided not to lead her conjugal life with petitioner because of threat of her life.

Considering the facts and circumstances as mentioned above, as petitioner is in custody since 27.07.2021 coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Kotwali P.S. Case No. 322 of 2020 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 J.



M., Patna/concerned Court, subject to the conditions as follows:

“(i) That  
accused/petitioner shall not  
involve in the similar nature of  
offence till the conclusion of  
trial, failing which the State  
shall be at liberty to move  
before the Trial Court itself for  
the cancellation of bail bond of  
the petitioner.”

(Chandra Shekhar Jha, J)

Archana/-

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