

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 19286 of 2022

Arising Out of PS. Case No.-19 Year-2021 Thana- TEYAR District- Bhojpur

Vivekanand Singh Son Of Anil Kumar Singh @ Anil Singh @ Nagendra Singh R/O Village- Gorasara, P.S.- Nuaon, District- Kaimur At Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranju Kumari @ Kanchan Kumari D/O- Brija Singh, W/O- Vivekanand Singh R/O Village- Gorasara, P.S.- Nuaon, District- Kaimur At Bhabua, At Present R/O- Village- Araila, P.S.- Tiyar, District- Bhojpur At Ara

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan
For the Opposite Party/s : Mr. Nityanand

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 08-08-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Tiyar P.S. Case No. 19 of 2021, registered for the offences punishable under Sections 341, 323 & 498 (A) of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The prosecution story in brief is that the marriage of the informant, namely, Ranju Kumari @ Kanchan Kumari was solemnized with the petitioner according to Hindu rites and customs in the year 2019. After some times, the husband and other family members of the informant started



torturing her for non-fulfillment of illegal demand of a four wheeler vehicle as dowry.

The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on account of matrimonial discord between husband and wife. He further submits that the petitioner has also filed a divorce petition against the informant/wife. He also submits that no specific allegation has been levelled against the petitioner and the allegations are general and omnibus in nature. He further submits that the petitioner has been languishing in jail since 22.01.2022, i.e., for about seven months.

It is also stated in paragraph no. 2 of the petition that the petitioner has moved before this Court for grant of anticipatory bail in Cr. Misc. No. 49559 of 2021, which was dismissed as withdrawn.

It has further been stated in paragraph no. 3 that the petitioner has been made accused in Ramgarh ((Nuaon) P.S. Case No. 317 of 2021.

However, the learned APP for the State opposes



the prayer for bail.

Considering the aforesaid facts and circumstances, particularly the period of custody, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Smt. Puja Kumari, Judicial Magistrate 1st, Bhojpur at Ara, in connection with Tiwar P.S. Case No. 19 of 2021, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

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



(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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