

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22642 of 2022

Arising Out of PS. Case No.-67 Year-2021 Thana- COMPLAINT CASE District- Lakhisarai

Mukesh Kumar S/o Manohar Prasad Das R/o village- Kendur, Bhairoganj,
P.S.- Chandan, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Chandrawti Kumari W/o Mukesh Kumar @ D/o Jawahar Modi R/o village-
Bhola Tola, English Ward No. 2, P.S.- Lakhisarai, District- Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-11-2022 Vide order dated 10.10.2022 notice was issued to the

opposite party no.2. Service report reveals that the notice has

been personally received by the opposite party no.2 it seems to

be valid service.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323, 342,
498A, 406, 506 of the Indian Penal Code and Section 3/4 of
Dowry Prohibition Act.



According to prosecution case, as per complainant/ victim Chandravati Kumar is alleging therein that her husband and her in-laws used to assault and torture her for demand of dowry of Rs.1 lac and her husband and in-laws compelled her for indulging in immoral act and when she denies for immoral act then they used to assault her.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner is the husband of complainant and the allegation of the complaint petition is false and fabricated. He further submits that the present complaint petition has been filed only to harass the petitioner.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Complaint Case No. 67c/2021,



subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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)

mdrashid/-

U		T	
---	--	---	--

