

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29903 of 2021**

Arising Out of PS. Case No.-76 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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PANKAJ KUMAR RASTOGI @ PANKAJ RASTOGI Son of Late Mukund Lal Rastogi Resident of - C K 67/75-1 Chhoti Piyari, P.S.- Sagra, Distt.- Varanasi, (U.P.)- 221001.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina Kumari Wife of Pankaj Rastogi Residence of House No.- D-59/159-4A, Shivpuri, P.S.- Sagra, Distt.- Varanasi, (U.P.), At present residence of Mohalla- Gokul Path, Patel Nagar, P.S.- Shastri Nagar, Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Rajendra Narain Singh, Sr.Adv.
	:	Mr.Alok Ranjan,Adv
For the Opposite Party/s	:	Mr.A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

- 3 14-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 498(A) of IPC and 4 of D.P. Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of demand of



dowry.

Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the marriage between the petitioner and the complainant was solemnized on 10.06.2021 and the petitioner has filed a Matrimonial Case No.1021 of 2017 before the court of learned Principal Judge, Family Court, Varanasi (U.P.) and by order dated 18.07.2018, the marriage between the petitioner and the complainant has already been dissolved.

Learned counsel for the informant and learned A.P.P. for the State have vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Complaint Case No.76(C) of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure and with other 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 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.

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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