

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33093 of 2022

Arising Out of PS. Case No.-64 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Sanjay Singh Son Of Late Awadh Bihari Singh Resident Of Village -
Birajmar, P.S.- Salempur, Distt.- Dearia (U.P.), At Present Oil Housing
Colony Duliyaan, P.S.- Duliyaan, Distt.- Dibrugarh (Assam).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjita Rajni W/o Sanjay Singh , D/o Late Bir Bahadur Singh Resident of
Village - Wajhiyakala, P.O.- Bhopatpur, P.s.- Kotwa, Distt.- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur, Advocate
For the Opposite Party/s : Mr. Abhanjalli, APP
Mr. Rajeev Shekhar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-09-2022 Heard learned counsel for the petitioner and learned
counsel appearing for the complainant and the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 498-A, 323, 307, 504/34 of
the I.P.C. and Section 4 of the Dowry Prohibition Act.

According to prosecution case, after three years of
marriage the members of the in-laws family started putting
pressure upon the complainant to bring four wheeler vehicle



else she will not be permitted to live in her maternal house and the petitioner to perform second marriage. There was no change in the demand of dowry and the complainant subjected to torture by way of abuse, assault and command.

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 in terms of the order dated 09.04.2019 passed in Maintenance Case No. 19 of 2018 petitioner has deposited Rs. 9,000/- per month by way of demand draft in favour of the complainant. He further submits that the petitioner has also filed a Divorce Case No. 94 of 2019 in the court of learned Principal Judge, Family Court, East Champaran, Motihari against the complainant on 05.03.2019 under Section 13 of the Hindu Marriage Act, 1956 seeking decree of divorce on the ground that she is not ready to lead marital life with the petitioner. He further submits that the complainant also appeared in person before the court below in Bail Petition No. 940 of 2022 and she has submitted that she has filed several cases against her husband. Although, she was not able to come with her willingness to restore the matrimonial life. The petitioner is in custody since 05.05.2022.

The learned counsel for the informant, on the other



hand has vehemently opposed the prayer for bail of the petitioner and submits that in fact the complainant is ready to live with her husband.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Complaint Case No. 64 of 2018, subject to 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)

Ravi/vanisha/-

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