

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50629 of 2022

Arising Out of PS. Case No.-96 Year-2022 Thana- BHAGWANPUR District- Begusarai

RAHUL KUMAR S/o Ashok Kumar Sah @ Ashok Sah R/o village-
Bachwara, P.S.- Bachwara, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhukar Anand, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and

Mr. Jitendra Kumar Singh, learned APP who represents the

State.

Let the defect(s), if any, as pointed out by the

office be removed within four weeks.

The petitioner is in judicial custody in connection

with Bhagwanpur P.S. Case No. 96 of 2022 for the offences

under Sections 307, 498A, 406, 379 and 504 of the Indian

Penal Code and Section 4 of Dowry Prohibition Act.

As per the complaint filed by the wife of the

petitioner, the marriage took place in 2019 but immediately

thereafter they kept on harassing her and also tried to

administer poison as also tried to set her ablaze.

Learned counsel for the petitioner submits that he



wants to forget the past and try to restart his marital life along with his wife whom he married on 22.4.2019 and as such he may be given a chance to do so. It is his further submission that he is ready to keep his wife with full dignity and is ready to face the consequences if there is another allegation against him by his wife.

Taking into account the fair stand of the learned counsel for the petitioner as also that he is in custody since 2.7.2022 (as stated in para-21 of the bail application) and charge-sheet stands submitted, this Court is inclined to grant him privilege of bail cautioning him to keep his wife with full dignity and honour or face the music.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai, in connection with Bhagwanpur P.S. Case No. 96 of 2022, subject to the following conditions :-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every



date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash/Ajay/-

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