

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52550 of 2022

Arising Out of PS. Case No.-184 Year-2021 Thana- BHANGWANPUR HAT District- Siwan

Shashikant Singh Son of Hari Shankar Singh R/V- Hakam Math, P.S-
Mahmmadpur, Dist- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi Daughter of Shanker Singh R/V- Bramhasthan, P.S-
Bhagwanpur Hatt, Dist- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for 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.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 498(A)
and 34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition
Act.

According to the prosecution case, the informant
was always abused and assaulted by her husband due to
non-fulfillment of demand of dowry.



Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that in fact, the petitioner is the husband of the informant and he is ready to pay Rs. 4,000/- per month to the informant in India Post Bank, vide Account No. 007810212901 and IFSC Code— IPOS0000001 till the disposal of the Maintenance Case No. 49 of 2022.

The learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner and draw attention of this Court to the fact that the petitioner has not appeared before the Mediation Center at Siwan but fairly submits that he is ready to accept Rs. 4,000/- per month subject to the result of the Maintenance Case No. 49 of 2022 .

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks 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 the learned Court below where the case is pending in connection with Bhagwanpur Hat P.S. Case No. 184 of 2021, 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 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)

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