

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64806 of 2021

Arising Out of PS. Case No.-17 Year-2021 Thana- MAHILA P.S. District- Bhojpur

Arjun Gond S/o- Tarkeshwar Gond R/o Village - Nai Basti Badka Rajpur,
P.S.- Simri, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-04-2022 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 four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 323, 498(A)/34 of the Indian Penal Code and under Section 3/4 of Dowry Prohibition Act.

According to prosecution case, on 10.02.2021 the informant gave an application to S.H.O. Mahila police station stating therein that her marriage has been solemnized with Arjun Gond (petitioner) on 22.6.2018 and went to Sasural on 06.5.2019 after Gavana. She further stated that after going there Arjun Gond, Tarkeshwar Gond, Manju Devi, Niraj Gond and Anita Devi all with common intention making pressure for



demand of golden chain, motorcycle, fifty thousand rupees saying that your father has given very poor articles in dowry, on that the informant replied that her father has given cash one lakh rupees, fifty thousand rupees for barati expenses, clothes, ornaments, utensil, furniture beyond his capability now from where he can pay. It is further stated by her that on hearing this all persons started giving her mental and physical torture in one or another way and after some months ousted her from the house after assaulting keeping her belongings and the informant any how came to her Mayka in pregnant condition and gave birth a female child by operation, her-in-law used to says that until our demand not fulfilled not keep you and will be second marriage.

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 fact the petitioner is the husband of the informant and it appears from the F.I.R. that there is general and omnibus allegation against the petitioner. He further submits that petitioner is ready to keep the informant with full dignity and honor. The petitioner is in custody since 06.07.2021.

The learned Additional Public Prosecutor has



vehemently opposed the prayer for bail.

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 Mahila (Ara) P.S. Case No. 17 of 2021, 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)

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