

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71276 of 2021

Arising Out of PS. Case No.-324 Year-2021 Thana- PHULWARIYA District- Gopalganj

DEEPU KUMAR SINGH @ DIPU KUMAR SINGH @ DIPU KUMAR @
DIPU SINGH S/o Sudarshan Singh R/o village- Mishra Bataraha, P.S.-
Fulwaria (Shripur O.P.), District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. PRIYANKA SINGH @ PRIYANKA DEVI D/o Sudama Singh R/o village-
Karsarawa Bujurg Tola Bahera, P.S.- Khampar, P.O.- Rahimpur, District-
Deoria (U.P.), At present R/o New Colony, Seksariya Sugar Mill Factory,
P.S.- Biswa, District- Sitapur (U.P.)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.
For the Opposite Party/s : Mr.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-04-2022 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 and learned
counsel for the informant as well as learned A.P.P. for the State
through video conferencing.

The petitioner seeks bail in a case registered for the
offence under Sections 341, 323, 498(A)/34 of the Indian Penal
Code and Section 3/4 of the Dowry Prohibition Act.

The informant is subjected to torture and assault on
account of non-fulfillment of demand of dowry made by the
petitioner and his family members and finally she is said to have



been ousted from here matrimonial home.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. In fact, the petitioner happens to be husband of the deceased and has never assaulted the informant. Neither he demanded any dowry from his wife nor he ousted the informant from her matrimonial home. He further submits that there general and omnibus allegation against the petitioner and no specific allegation of assault is attributed to him. As a matter of fact, the informant does want to live with the petitioner as according to her, her marriage is not consented by her and for that reason, she has attempted to commit suicide several times and in this regard, the petitioner has also filed Information Petition No. 3198 of 2018 before the court below. Not only that the petitioner has also filed a Matrimonial Case being M.M. Case No 143 of 2020 against her wife for their judicial separation. The petitioner is rotting in judicial custody since 04.10.2021.

Learned A.P.P. for the State along with learned counsel for the informant has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Fulwaria (Shripur O.P.) P.S. Case No. 324 of 2021 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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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