

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8156 of 2023

Arising Out of PS. Case No.-832 Year-2020 Thana- SONEPUR District- Saran

DEEPAK KUMAR Son of Arun Kumar Resident of Village- Sonapur
(Adam), (In front of Old Hospital), P.S.- Sonapur, District- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Guriya Devi Wife of Deepak Kumar, D/O Harilal Sah Resident of Village- Sonapur (Aadam), P.S.- Sonapur, District- Saran. At present- Guriya Kumari, D/O Harilal Sah, Resident of Bharpura, P.S.- Sonapur, District- Sonapur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mirityunjay Kumar, Adv.
For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-06-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Sonpur P.S. Case No. 832 of 2020 registered for the offence under Sections 341, 323, 308, 388, and 498(A) of the Indian Penal Code and Section 3 and 4 of the D.P. Act.

The complaint is subjected to assault and torture on account of non-fulfillment of demand of dowry made by the petitioner and others.

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. He further submits that the allegation, as alleged in the F.I.R., is false and fabricated and the petitioner has not committed any offence. He further submits that the petitioner has never demanded any dowry from the complainant and her family members nor he assaulted or tortured her in any manner. No cogent material has surfaced during course of investigation suggesting the involvement of the petitioner in the alleged occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 06.12.2022.

Learned A.P.P. for the State 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 Chief Judicial Magistrate, Saran at Chapra in connection with Sonapur P.S. Case No. 832 of 2020/ C.R. No. 1845 of 2020 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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