

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12900 of 2023**

Arising Out of PS. Case No.-115 Year-2022 Thana- PARASBIGHA District- Jehanabad

Gautam Thakur S/O Kapil Thakur Resident of Village- Sohraiya, P.S.-
Parasbigha, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
13.12.2022, in connection with Parasbigha P.S. Case No. 115 of
2022, F.I.R. dated 07.06.2022 registered for the offences
punishable under Sections 341, 323, 498(A), 504/34 of the
Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner is that he along with
co-accused persons have committed torture and harassment due
to non-fulfillment of demand of dowry of Rs 50,000/-.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case on the ground that the petitioner is the husband of
the informant. 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 as alleged in the F.I.R. and the learned Trial Court has tried to pacify the matter but the informant is not willing to live with the petitioner. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 13.12.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Jehanabad in connection with Parasbigha P.S. Case No. 115 of 2022, 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 witness, 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 antecedents, 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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