

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9379 of 2023

Arising Out of PS. Case No.-157 Year-2022 Thana- PUPRI District- Sitamarhi

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AJAY KUMAR @ AJAY RAI @ AJAY Son of Batohi Rai Resident of Village
- Dumhar Patti, P.S. - Pupri, District - Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s :	Mr. Anil Kumar, Advocate
For the Opposite Party/s :	Mr. Ram Naresh Ray, APP
For the Informant :	Mr. Santosh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Pupari P.S. Case No. 157/2022 registered for the offences punishable under Sections 341, 323, 379, 498(A)/34 of the Indian Penal Code and ³/₄ of the Dowry Prohibition Act. He has one criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant was married with the petitioner on 21.05.2021, after marriage all the accused persons started demanding bullet motorcycle and 40 tola gold as per promise of her father at the time of marriage and due to non-fulfillment, they started torture with her.

Learned counsel for the petitioner submits that



petitioner has been falsely implicated in this case. Learned counsel submits that the informant went to her maika and after compromise she came at the house of the petitioner, therefore there is no question of torture and ousting from the house of the petitioner.

Learned counsel for the informant as well as learned A.P.P. for the State have opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, the peculiar facts of this case wherein the informant herself is an accused for administering poison to the petitioner, in view of the submissions of both the parties, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Pupari, District – Sitamarhi in connection with Pupari P.S. Case No. 157/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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.

And further condition that for the time being until the matter is finally resolved, the petitioner shall in terms of his own undertaking provide a sum of Rs. 2000/- per month to the opposite party no. 2 by 10th day of every month subject to result of an order of the competent court in an appropriate proceeding. The learned court below shall taken an effort by sending the records to the mediation centre to get the matter amicably resolved and settled.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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