

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10136 of 2023

Arising Out of PS. Case No.-100 Year-2022 Thana- ATHMALGOLA District- Patna

PRATAP BHARTI @ MAHARANA PRATAP KUMAR @ MAHARANA
PRATAP(wrongly mentioned Prabhat Bharti) S/o Rajendra Bharti R/o
Village- Basti, P.S.- Harnaut, Distt- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amrendra Kumar, Advocate
	:	Mr.Prakritita Sharma, Advocate
For the Opposite Party/s	:	Mr.Bishweshwar Ram, APP
For the Informant	:	Mr. Ashok Kumar Kashyap, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
04.09.2022 in connection with S.Tr.No.1485 of 2022 arising out
of Athmalgola P.S. Case No. 100 of 2022, F.I.R. dated
21.04.2022 registered for the offence punishable under Sections
365,366 and 367 of IPC.

The informant alleged that the petitioner eloped with
his wife on the pretext of providing job. Further alleged that his
wife has fled away after taking jewelry worth of Rs. Two Lakhs
and Rs.20,000/- cash.

Learned counsel appearing for the petitioner submits



that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and the wife of the informant was recovered and her statement under Section 164 Cr. P.C. was recorded in which she has categorically stated that due to demand of dowry and other reason she has voluntarily left her matrimonial house, no person is responsible for the present occurrence. Further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 04.09.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, 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 learned Additional Sessions Judge-I, Barh, Patna in connection with S.Tr.No.1485 of 2022 arising out of Athmalgola P.S. Case No. 100 of 2022, 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 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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