

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15346 of 2023

Arising Out of PS. Case No.-26 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

=====

RUPAN SAPERA S/O TETAR SAPERA Resident of Village- Kadirganj,
P.S.- Kadirganj, District- Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. SABUJA DEVI W/O RUPAN SAPERA Resident of Village- Kadirganj,
P.S.- Kadirganj, District- Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Adv.

For the Opposite Party/s : Mr.Arun Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 04-10-2023 Heard Mr. Vinod Kumar, learned counsel for the
petitioner and Mr. Arun Kumar, learned A.P.P. for the State.

Despite valid service of notice upon O.P. No.2, nobody
appeared on her behalf.

The petitioner apprehends his arrest in Complaint
Case No. 26(C) of 2019 registered for the offence under Sections
498A, 379 and 34 of the Indian Penal Code and Section 3/4 of the
D.P. Act.

The complainant is subjected to torture and assault on
account of non-fulfillment of demand of dowry and finally she
has been ousted from her matrimonial house at the instance of
the petitioner.

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 merely on the ground that the petitioner happens to be husband of the complainant. He further submits that the allegation, as alleged in the complaint, is false and fabricated and the petitioner has not committed any offence. He further submits that the petitioner has never demanded any dowry or any material thing like motorcycle or any amount as alleged in the complaint. He further submits that the petitioner is ready to keep the complainant as wife with full honour and dignity.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner is husband of the complainant and there is direct and specific allegation against the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner, in the event of his arrest or surrender before the court below within a period of four weeks, 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 S.D.J.M., Masaurhi, Patna in connection with Complaint Case No.26(C) of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also 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)

brajesh/-

U		T	
---	--	---	--

