

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28198 of 2023

Arising Out of PS. Case No.-957 Year-2021 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Laxman Kumar @ Ansh Raj Son of Vinod Sah Residing at Village- Thumma,
PS- Runni Saidpur Asthan, Dist- Sitamarhi presently residing at mohalla-
Khemani Chak, Vishwakarma Colony, PS- Ram Krishna Nagar, Dist- Patna
Pin- 800026

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Kumari Daughter of Raj Kishore Sah , wife of Laxman Kumar R/V-
Pachnaur, PS- Belsand, Dist- Sitamarhi. Presently residing at Mohalla-
Khemanichak, Vishwakarma Colony, PS- Ram Krishna Nagar Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhanendra Chaubey, Advocate
For the Opposite Party/s : Ms. Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
06.02.2023 in connection with Complaint Case No. 957 of
2021, for the offences punishable under Section 498A of the
Indian Penal Code.

According to prosecution case, the petitioner and his
family members tortured the complainant due to non-fulfillment



of demand of dowry. It is further alleged that the petitioner fled away with minor girl and married her.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present 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 offences as alleged in the F.I.R. He further submits that the petitioner has never demanded any dowry from the complainant or her family members. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 06.02.2023.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, 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 the learned Sub Divisional Judicial Magistrate, Sadar, Sitamarhi in connection with Complaint Case No. 957 of 2021, 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 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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