

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28137 of 2022

Arising Out of PS. Case No.-11 Year-2021 Thana- MAHILA PS District- East Champaran

RAJAN SINGH @ RAJAN KUMAR Son of Nagendra Singh Resident of
Village - Nanhkar, P.S. - Patahi, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deepa Singh Daughter of Late Jitendra Singh Resident of Village - Chailaha,
P.S.- Banjariya, District - East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 03-10-2023 Heard Mr.Abhishek Kumar, learned counsel for the

petitioner, learned counsel for the informant and Mr.Pranav
Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Mahila P.S. Case No. 11 of 2021, F.I.R. dated
13.02.2021 registered for the offence punishable under Sections
498-A,354,34 of the Indian Penal Code and Section 3/4 of the
D.P.Act.

3. Allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of demand of
dowry.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent. He has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that the petitioner has filed a Matrimonial Case No. 316 of 2020 on 18.12.2020. Thereafter, the informant has filed a Maintenance Case No. 48 of 2021 on 01.02.2021. Further submits that as per the previous order of the learned court below the petitioner has paid regularly Rs.7,000/- to the informant and pursuant to the order of this Court, the matter was referred to the District Mediation Centre, East Champaran but the mediation has now failed.

5. Learned counsel for the informant and learned APP for the State, on the other hand, have vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the order of paying Rs.7,000/- per month till the filing of the chargesheet, this may be extended up-to the disposal of the Maintenance Case No. 48 of 2021.

6. Learned counsel for the petitioner undertakes that he will pay Rs.7,000/- per month till the submission of chargesheet.

7. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the



court below within a period of thirty days from the date of receipt of the order, 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 Sub Divisional Judicial Magistrate, Sadar, Motihari, East Champaran in connection with Mahila P.S. Case No. 11 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) 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 their absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(II) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) 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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