

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36448 of 2022

Arising Out of PS. Case No.-50 Year-2020 Thana- MAHILA PS District- Buxar

CHANDRA SHEKHAR SINGH S/o Ganga Sagar Singh R/o Village-
Hukahan, P.S.-Buxar (M), District-Buxar.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. Puja Devi D/o Sri Shivdant Singh R/o Mohalla-Koirpurwa, P.S.-Nagar
(Buxar), District-Buxar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashwini Kumar Rai, Adv.

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 01-02-2023 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with Buxar (Mahila) P.S. Case No. 50 of 2020 instituted under Sections 498A, 341, 323, 379, 504, 506/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

As per the prosecution story, the marriage took place in 2007 whereafter she was tortured for dowry. The petitioner was earlier in the Indian Army and after retirement now working as S.A.P. Jawan at Jharkhand. The allegation is that he is a kind of pervert person who when away for duty used to ask her to send the nude photos/videos of her which he used to show to his friends. The further threatening was that if she fails to fulfil his



demand, he will stop paying any money to her.

Being tortured both mentally and physically left with no option, the present case was lodged.

Learned counsel for the petitioner submits that he being a disciplined person having served the Indian Army want to remove the images of the past and move afresh in his journey of marriage. He further indents to pay Rs. 10,000/- to the lady, wife as also Rs. 5000/- to his son every month beginning February, 2023 by 15th of said month irrespective of the outcome of the present petition.

Learned APP on the other hand opposes the prayer for bail.

Considering the fact that the notices were issued to the lady, which has been validly served, the petitioner will be cooperating in the investigation and will ultimately face the trial, this Court is inclined to extend him privilege of anticipatory bail subject to payment of Rs. 15,000/- per month, as offered by the learned counsel for the petitioner.

Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties



of the like amount each in connection with Buxar (Mahila) P.S. Case No. 50 of 2020 to the satisfaction of learned S.D.J.M., Buxar, subject to the conditions as laid down under Section 438(2) of the Cr.P.C with further conditions :

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(vi) the petitioner would pay every month Rs. 15,000/- through Demand Draft issued by the local State Bank



of India branch to be submitted before the ‘NAZARAT’ of concerned Court to be handed over to the informant after checking the credentials till she provides her bank account details whereafter the amount shall be deposited in the account.

(vii) if the petitioner fails to pay the aforesaid amount by any month, the informant will be free to take recourse to legal remedy for cancellation of his bail bonds.

(Rajiv Roy, J)

Ajay Singh/-

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