

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50864 of 2023

Arising Out of PS. Case No.-134 Year-2022 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Ram Jivan Singh @ Ram Jivan Kumar Singh S/O Ram Ratan Singh R/O
Village- Ibrahimpur, Ps.Khodawandpur, O.P- Chhaurahi, Dist. Begusarai

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Laxmi Devi W/O Ram Jivan Singh, D/O Late Jay Prakash Singh R/O
Village- Ibrahimpur, Ps. Khodawandpur, O.P- Chaurahi, Dist. Begusarai At
Present Village- Cheriya Bariyarpur, Ps. Cheriya Bariyarpur, Dist. Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-10-2023 Heard Mr.Binod Kumar Sinha, learned counsel for the

petitioner and Mr.Mritunjay Kumar Nirala, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No.134(C) of 2022 registered
for the offences punishable under Sections 498(A),323 of IPC.

3. Allegation against the petitioner and other co-
accused persons 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 falsely been implicated in the present case. The
marriage of the petitioner was performed with the complainant



15 years ago and there was no complaint at all against the petitioner and due to some dispute with respect to the land, the complainant has filed the present complaint petition against the petitioner and his family members only to harass them. Further submits that despite of valid service of notice upon opposite party No.2, no one appears on behalf of opposite party No.2 and the allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offence as alleged in the complaint petition and the complainant has left her house and she is living in parental house since 2016.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner on the ground that the petitioner carries one more case other than the present one.

6. 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 A.C.J.M., Manjhaul, Begusarai in connection with Complaint Case No.134(C) of 2022, 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 his/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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