

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51360 of 2023

Arising Out of PS. Case No.-1374 Year-2020 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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JITENDRA PASWAN @ JITENDRA PASDHANA SON OF SHAKALDEO
PASWAN @ SAKAL PASWAN RESIDENT OF VILLAGE -BABHAIN,
RATAN, WARD NO 10, POLICE STATION- BAKHARI, DISTRICT-
BEGUSARAI

... .. Petitioner/s

Versus

1. The State of Bihar
2. DILIP PASWAN Son of Mahendra Paswan RESIDENT OF VILLAGE-
JAYLAKH ABHIMAN, WARD NO. 3, PS- BAKHARI DISTT-
BEGUSARAI

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Prasad, Adv.
For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 09.05.2023 seeks
bail, in connection with Complaint Case No.1374/2020, dated
20.01.2021, for the offences punishable under Sections 323,
498(A)/34 of the IPC.

3. According to prosecution case, the petitioner along
with other co-accused persons are alleged to have assaulted and
tortured the complainant due to non-fulfillment of the demand
of Rs. 1 lac, as dowry.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he 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 never demanded any dowry from the family members of the complainant. He further submits that from perusal of the complaint petition, it appears that there is general and omnibus allegation against all the accused persons including the petitioner. The petitioner is in custody since 09.05.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. 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 Smt. Bhavika Sinha, J.M. 1st Class, Begusarai in connection with Complaint Case No. 1374/2020, 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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