

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50884 of 2023

Arising Out of PS. Case No.-260 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Ashish Kumar Son Of Late Naresh Kumar Resident Of Village - Bhaishani
Tola, Patna City, P.S. - Malsalami, District - Patna

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR, PATNA
2. Komal Kumar Wife Of Ashish Kumar, Daughter Of Ranjit Resident Of
Village - Vanauliya, Biharsharif, P.S. - Bihar Nalanda, District - Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
16.03.2023 in connection with Complaint Case No. 260 of
2020, Complaint dated 12.03.2020 for the offences punishable
under Sections 498(A)/34 of the Indian Penal Code.

3. Petitioner, who is husband of the complainant is
said to have ousted the complainant from her matrimonial home
in association of her family member over the dowry demand.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case merely on the ground that



petitioner is husband of the complainant. He further submits that the allegation as alleged in the complaint petition is false and fabricated and petitioner has not committed any offence as alleged in the complaint petition. He further submits that the petitioner has not demanded any dowry from the family member of the complainant. The petitioner is in judicial custody since 16.03.2023.

5. The learned Additional Public Prosecutor for the State 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 the learned S.D.J.M., Patna City in connection with Complaint Case No. 260 of 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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