

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55522 of 2023

Arising Out of PS. Case No.-1918 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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Kaushal Kishore Pandey @ Dayanand Pandey son of Sri Shiv Govind Pandey
R/o- village+P.O.+ P.S- Paraiya (Khurd) Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anjali Kumari wife of Sri Kaushal Kishore Pandey D/o- Akshay Kumar Pandey R/o village- Punpun P.S- Parsa Bazaar P.O- Punpun Patna

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 13-12-2023 Heard Mr.Rahul Kumar, learned counsel for the petitioner, learned counsel for the informant and Mr.Shailendra Kumar Singh, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Complaint Case No.1918(C) of 2018 registered for the offences punishable under Section 498(A) of IPC and Section 4 of D.P.Act.

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 informant outrightly



submits that she is not ready to live with the petitioner and she wants to one time settlement with the petitioner.

5. Learned counsel for the petitioner submits that in fact the complainant has already performed another marriage with another person namely, Bablu Mishra, Son of Madan Mishra, R/o Village-Nonai, P.O.-Makar, P.S.-Akbarpur, District-Nawada and the complainant, in her reply, has not stated anything about para-8 of the bail petition.

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 Sub Divisional Judicial Magistrate, Patna in connection with Complaint Case No.1918(C) of 2018, 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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