

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55086 of 2023

Arising Out of PS. Case No.-199 Year-2019 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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ANIL SINGH SON OF RAJBALI SINGH RESIDENT OF VILLAGE
HICHCHAN BIGHA, PO- SAMSHER NAGAR, PS- DAUDNAGAR, DIST-
AURANGABAD

... .. Petitioner/s

Versus

1. The State of Bihar
2. SANDHYA DEVI DAUGHTER OF NARESH YADAV RESIDENT OF
VILLAGE - CHIRAIYATAND, PO- PIRU, PS- HASPURA, DIST-
AURANGABAD

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Dubey, Adv.
For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner seeks and is
permitted to carry out necessary correction in paragraph-3 of the
petition during course of the day.

The petitioner seeks bail in connection with Complaint
Case No. 199 of 2019 (Trial No. 1704 of 2022 registered for the
offence under Sections 498(A) of the Indian Penal Code and
Section 4 of the Dowry Prohibition Act.

The complainant is subjected to assault and torture on
account of non-fulfillment of demand of dowry and in
consequence she has been ousted from her matrimonial home.



Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that before filing of the present case the complainant has filed another case being Daudnagar P.S. Case No. 124 of 2019 under Sections 498(A), 379, 354 and 34 of the Indian Penal Code along with 3/4 of the D.P. Act against the petitioner. He further submits that the petitioner has been granted bail in the aforesaid case vide order dated 18.11.2019 by the learned S.D.J.M., Daudnagar, Aurangabad, and thereafter the present complaint case has been filed against the petitioner and other family members. He further submits that on bare perusal of the complaint case, it appears that there is general and omnibus allegation against the accused persons including the petitioner and no specific allegation of assault or any overt act is attributed to him. He further submits that the petitioner has himself surrender in the court below on 16.05.2023.

Learned A.P.P. for the State opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 S.D.J.M., Daudnagar, Aurangabad in connection with Complaint Case No.



199 of 2019/ Trial No. 1704 of 2022 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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