

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59962 of 2023

Arising Out of PS. Case No.-282 Year-2022 Thana- SARAI District- Vaishali

Ramlal Ram Son of Lakhan Ram Resident of Village-Maricha Ram, Police Station-Sarai, District-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. JANAKI DEVI Wife of Ramlal Ram Resident of village-Maricha Ram, Post Office-Sarai, Police Station-Sarai, District-Vaishali, Hajipur, Pin-844125

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar, Advocate
For the Informant	:	Mr. Parijat Saurav, Advocate
For the State	:	Mr .Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-12-2023 Heard Mr. Vijay Kumar, learned counsel for the petitioner, Mr. Parijat Saurav, learned counsel appearing on behalf of the Informant as well as Mr. Nitya Nand Tiwary, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Sarai P.S. Case No. 282 of 2022, F.I.R. dated 06.09.2022 registered for the offences punishable under Sections 498(A), 323, 494, 504, 506 /34 of the Indian Penal Code.

3. Petitioner is the husband of the Informant. Allegation is of demand of dowry and torture for the same.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has been falsely 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 not committed any offence as alleged in the F.I.R. He further submits that the marriage was performed in the year 2004 and as per allegation in the F.I.R. the petitioner has performed the second marriage and after that a Panchayati was held in which the petitioner has accepted that he will pay Rs. 4,000/- to the informant as a maintenance.

5. Learned counsel appearing on behalf of the Informant as well as learned APP for the State, opposed the prayer for anticipatory bail of the petitioner and submits that it is admitted fact that the petitioner has performed the second marriage and he is not honored the outcome of the Panchayati and he has not paid a single rupees to the informant.

6. Learned counsel for the petitioner further submits that petitioner is ready to pay Rs. 4,000/- per month to the Informant with effect from September, 2023.

7. Considering the facts and circumstances of the case, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-16, Hajipur, Vaishali in connection with Sarai P.S. Case No. 282 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) The petitioner shall produce a demand draft of Rs. 16,000/- in favour of the Informant as a maintenance from September, 2023 to December, 2023 at the time of furnishing bail bond and the learned Court below is directed to hand over the same to the Informant or his representative and also the petitioner shall pay Rs. 4,000/- to the Informant per month from January, 2024. If the petitioner fails to pay Rs. 4,000/- per month to the Informant, the informant is liberty to move before the learned Court below for cancellation of his bail bond.

(2) 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.

(3) If the petitioner tampers with the evidence or the



witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(4) 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)

Ibrar//-

U		T	
---	--	---	--

