

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57603 of 2022

Arising Out of PS. Case No.-560 Year-2017 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Pappu Pandit S/o Sri Janki Sharan Pandit R/V- Pakhauri, P.S.- Jalley, Distt-
Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manju Devi W/o Pappu Pandit R/V- Samdhania, P.S.- Jalley Distt-
Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durga Nand Jha, Advocate
For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APPT

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 20-03-2023 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the complainant and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Section 498A of the Indian Penal
Code and Section 4 of Dowry Prohibition Act.

According to prosecution case, all the accused persons
including the petitioner abused and assaulted the complainant in
presence of their relatives and after snatching ornaments, they
ousted the complainant out from her matrimonial house due to



non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the complaint petition that there is general and omnibus allegation against the petitioner and there is no specific allegation of any assault or demand of dowry against the petitioner. He further submits that in fact, the complainant has solemnised second marriage with one Dilip Sah, Son of Dukhan Sah, resident of Village- Pahsaul, P.S. Katra, District- Muzaffarpur on 26.01.2023 and she is happily residing with her second husband. The petitioner is in custody since 19.07.2022.

The learned counsel appearing on behalf of the complainant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the complainant has not solemnized the second marriage.

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 Court below where the case is pending in connection with Complaint



Case being C.R. No. 560 of 2017, 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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