

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60723 of 2022

Arising Out of PS. Case No.-371 Year-2021 Thana- MINAPUR District- Muzaffarpur

SHRI DILIP RAY @ DILIP RAI S/o Ram Sanjivan Rai @ Ram Sajivan Ray
R/o Village- Muksudpur, P.S.- Minapur, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. CHANDRA DEVI W/o Shri Dilip Ray @ Dilip Rai, D/o Late Kishandeo Ray R/o Village- Muksudpur, P.S.- Minapur, Distt- Muzaffarpur, at present residing at Village- Khutaha, P.S.- Sonbarsha, P.O.- Singhwahini, Distt- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Adv.
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-02-2023 Heard learned counsel for the petitioner and the learned A.P.P. for the State as well as learned counsel for the informant.

The petitioner seeks bail in a case registered for the offence under Sections 341, 323, 325, 385, 498(A), 504, 506/34 of the Indian Penal Code.

The informant is subjected to torture and assault on account of non-fulfillment of demand of dowry.

Learned counsel appearing for the petitioner outrightly submits that the petitioner is ready to keep the informant as wife with full dignity and owner, a statement to



that regard has already been made in paragraph 10 of the petition. The petitioner is rotting in judicial custody since 01.05.2022.

Learned counsel for the informant submits that the informant has no objection if the petitioner is ready to keep her as a wife with all dignity and honour.

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 Court below where the case is pending in connection with Minapur P.S. Case No. 371 of 2021 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.



(3) The petitioner shall file an undertaking at the time of furnishing bail bonds before the court below stating that he shall not commit any overt act and shall not use any force or any undue pressure upon the informant and keep the informant as wife with full honor and dignity.

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.

It is made clear that if the petitioner fails to act upon in terms of the undertaking, as aforesaid, the informant shall inform the court below about the misconduct of the petitioner and upon being so, the learned court below shall proceed, accordingly, for cancellation of the bail bonds of the petitioner.

(Rajesh Kumar Verma, J)

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