

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65503 of 2022

Arising Out of PS. Case No.-370 Year-2022 Thana- ALAMGANJ District- Patna

AKASH SUMAN S/o Late Pramod Kumar R/o- Chaili Taal, P.S.- Alamaganj,
District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. SANJANA KUMARI W/o Akash Suman D/o Shri Satyanarayan Prasad R/o-
D-72, Police Colony, P.S.- Anisabad, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagnnath Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-03-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 341, 323, 498-A, 504 and 34 of the Indian
Penal Code.

The case relates to matrimonial dispute between
husband- petitioner and wife-informant. It is alleged that the
petitioner has assaulted and torture the informant on account of
non-fulfillment of demand of dowry.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. He further submits that the petitioner happens to be
husband of the informant and prior to lodging the present case,



the informant has also filed a complaint case No. 2930C of 2016 for the domestic violence against the petitioner and on compromise between them, the said complaint has been dismissed. He further submits that it appears from the F.I.R. itself that there is general and omnibus allegation against the petitioner and no specific case of assault or any overt act is alleged against the petitioner. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 26.08.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one. He fairly submits that all cases have been lodged by the informant against the petitioner.

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 Alamganj P.S. Case No. 370 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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