

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73841 of 2022

Arising Out of PS. Case No.-308 Year-2021 Thana- BARH District- Patna

Manoranjana Kumar Son Of Janak Das R/O Village- Sartha, P.S.- Bena,
District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aarti Devi D/O Ashok Das R/O Dalisamanchak, P.S.- Barh, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
22.07.2022 in connection with Barh P.S. Case No. 308 of 2021,
F.I.R. dated 04.08.2021 registered for the offence punishable
under Sections 498(A), 494 of the Indian Penal Code and
Sections 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of demand of
dowry.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent. He has falsely been
implicated in the present case because the petitioner is husband



of the informant. Further submits that the petitioner has filed a Matrimonial Suit No.281 of 2016 before the court of learned Principal Judge, Family Court, Biharsharif and it appears from the order dated 26.07.2017 that the informant was not willing to live with the petitioner and after that, the present false and fabricated case has been filed against the petitioner and the petitioner is in custody since 22.07.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid fact, 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 learned Additional Chief Judicial Magistrate, 1st Barh, Patna in connection with Barh P.S. Case No. 308 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 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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