

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15421 of 2024

Arising Out of PS. Case No.-865 Year-2023 Thana- BODHGAYA District- Gaya

Harendra Kumar, aged about 25 years (Male), son of Nandkeshwar Ravidas @ Nandkeshwar Ravidas @ Nankeshwar Das @ Nand Kishor Ravidas, R/o- Ilara, P.S.- Cherki, Bodhgaya, Dist- Gaya.

... .. Petitioner

Versus

1. The State of Bihar.
2. Shobha Kumari, wife of Harendra Kumar, R/O Village- Ilara, P.S.- Cherki (Bodh Gaya), Dist- Gaya, at present D/O Ram Chandra Ravidas, R/O Village + P.O. Bharaundha, P.S. Gurua, District-Gaya.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Shailesh Kumar, Advocate
For the State	:	Mr. Md. Shakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 14-05-2024 This matter has been listed under the heading ‘For Orders (on office notes)’.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner seeks bail in connection with Bodhgaya P.S. Case No. 865 of 2023 dated 18.11.2023 registered for the offences punishable under Sections 341, 323, 498A, 494/34 of the I.P.C. and Section 3/4 of the D.P. Act.

4. As per the prosecution case, the petitioner is alleged



to have tortured the informant mentally and physically due to non-fulfilment of demand of Rs. 1,00,000/- and motorcycle as dowry. It is further alleged that on 17.11.2023, the petitioner brought one Arpita Maurya, to his house from Ayodhya and told the informant that he would not keep her and he will keep this girl.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The petitioner neither demanded any dowry nor tortured the informant. It is further submitted that the petitioner is the husband of the informant and he has no concern with the alleged offence. It is further submitted that the informant herself does not want to live in her matrimonial house as she is a stylish lady and wants to live in high standard and separate from the family members of her in-laws house but the petitioner had tried his best effort to keep the informant as his wife. It is further submitted that the alleged lady, namely, Arpita Maurya, had come to visit at Bodhgaya and that time the petitioner was living at Bodhgaya, hence, one day she came to see the village and the house of the petitioner and due to which, the informant made suspicion in her mind that perhaps the petitioner has performed second marriage with that lady. There is general and omnibus



allegation against the petitioner. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody since 18.11.2023 in the present case.

6. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody of the petitioner, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Bodhgaya P.S. Case No. 865 of 2023 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

8. If so advised, either of the parties will be at liberty to make an application before the court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.



9. The application stands allowed.

(Chandra Prakash Singh, J)

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