

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15424 of 2024

Arising Out of PS. Case No.-15627 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Suman Kumar Burnwal @ Guddu Son of Gopal Burnwal Resident of Shriram
Path, Sapna Market, P.S. Mabhara, District- Durgapur (West Bengal)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neha Kumari D/o Vinod Kumar Burnwal Resident of Mahavir Nagar, Naya
Chowk, P.S. Ram Krishna Nagar, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Y. Madhavi, Advocate
For the State : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 12-07-2024 Heard Ms. Y. Madhavi, learned counsel for the

petitioner and Mr. Nityanand, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 15627 of 2022, for the
offences punishable under Sections 498(A) of the Indian Penal
Code.

3. According to prosecution case, after the marriage,
complainant was subjected to cruelty, torture and harassment on
non-fulfillment of the demand of dowry by the petitioner and his
family members.

4. 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 the petitioner is made accused merely on the basis that he is husband of the complainant. He further submits that despite of various efforts, the complainant is not ready to live with his parents.

5. Vide order dated 21.03.2024, the matter was referred to Mediation and Conciliation Centre, Patna High Court for settlement of dispute between the parties. It appears from the mediation report dated 06.05.2024 that the mediation could not succeed.

6. Considering the aforesaid facts and circumstances and the fact that petitioner having clean antecedent and mediation has been failed, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Judicial Magistrate, 1st Class, Patna in connection with Complaint Case No. 15627 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-



i. 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.

ii. 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.

iii. 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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