

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19100 of 2024

Arising Out of PS. Case No.-349 Year-2023 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

Arvind Ram Son of Late Ghutai Ram R/o Village- Kaithwar, P.S.- Sakatpur,
Dist.- Darbhanga, Present Address- Gali No.-7, Near- Sudama Tea Wala Ki
Dukan, Company Howner name- Deepak Bhai Kharadiya's Worker (New
Delhi) House Address- Prem Nagar, Pragatinagar Railway Station New, Gali
No.-1, Shiv Mandir front Room No.-521 IIIrd floor, Near Jakhira (New Delhi)

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Reena Devi Wife of Arvind Ram, D/o Ganga Prasad Ram R/o Village and
P.O.- Kaithwar, P.S.- Sakatpur, Dist.- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Udeshya Yadav, Advocate
For the Opposite Party/s	:	Mr. Akshay Lal Pandit, APP
For the Complainant	:	Mr. Prakash Chandra Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-04-2024 Heard Mr. Udeshya Yadav, learned counsel for the
petitioner, Mr. Prakash Chandra Gupta, learned counsel
appearing on behalf of the complainant as well as Mr. Akshay
Lal Pandit, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 349 of 2023 for the
offences punishable under Sections 341, 323, 498(A), 379, 307,
504 and 506 of the Indian Penal Code and Section 3/4 of the D.P.
Act.

3. According to prosecution case, all the accused



persons including the petitioner have assaulted the complainant due to non-fulfillment of demand of dowry and also ousted her from her matrimonial house.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that he is husband of the complainant. He further submits that the allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offences as alleged in the complaint petition. He further submits that it appears from the complaint petition that the petitioner has brutally assaulted the complainant but there is no piece of paper available on record which suggests that the complainant has received any injury in the present occurrence.

5. The learned counsel appearing on behalf of the complainant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner that he has brutally assaulted the complainant but they are not in the position to produce any evidence which suggests that the complainant has received any injury.

6. Considering the aforesaid facts and circumstances,



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, Darbhanga in connection with Complaint Case No. 349 of 2023, 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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