

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25468 of 2024

Arising Out of PS. Case No.-503 Year-2023 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Suraj Bind Son Of Dharmendra Bind Resident Of Village- Kohraula, PS-
Ramgarh, Dist- Kaimur At Bhabua.

... .. Petitioner

Versus

1. The State of Bihar.
2. Raffa Kumari @ Kajal Kumari Daughter Of Lakkar Prasad Bind Resident
Of Village- Kohraula, Ps- Ramgarh, Dist- Kaimur At Bhabua At Prsent
Reside With Her Father Namely Lakkar Prasad Bind, R/V- Govindpur, Ps-
Chainpur, Dist- Kaimur.

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party : Ms. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 27-09-2024 Heard Mr. Tribhuwan Narayan, the learned counsel

for the petitioner, the learned counsel appearing on behalf of

complainant / informant and Ms. Veena Kumari Jaiswal, the

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in

connection with Bhabua Complaint Case No. 503 of 2023,

registered for the offences punishable under Sections 498(A)

and 354 of the Indian Penal Code and under Section 3/4 of

Dowry Prohibition Act. However, cognizance has been taken

under Section 498(A) of the Indian Penal Code and under

Section 3/4 of Dowry Prohibition Act.



3. According to the prosecution case, the complainant was subjected to torture and abuse by her in-laws over non-fulfillment of dowry demand. It is further alleged that co-accused no. 4 also tried to misbehave with her and later on she was ousted from her matrimonial home after snatching all her belongings.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that petitioner has been made accused in the present case merely on the ground that he happens to be the husband of the complainant / informant.

5. Vide order dated 12.07.2024 on the request of both the parties, the matter was referred to mediation centre for settling of dispute between the parties. Learned counsel for the petitioner informs this Court that although petitioner has appeared on each and every date along with counsel for the petitioner, the complainant has not appeared before the learned mediator and on that sole ground the mediation has failed.

6. The learned counsel for the informant as well as the



learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances, let the petitioner, above-named, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory 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 Additional Chief Judicial Magistrate-II, Kaimur at Bhabua, where the case is pending in connection with **Bhabua Complaint Case No. 503 of 2023**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(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 learned trial Court 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 learned trial Court 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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