

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23099 of 2024

Arising Out of PS. Case No.-706 Year-2023 Thana- GARDANIBAG District- Patna

Rajesh Kumar Sinha Son of Late Sarju Mahto Resident of Village- Ghaghar,
Ps- Sherghati, Dist- Gaya At P/A- Kunj Bihar Colony, Sugiya Dih, Ps- Sarai,
Dhela, Dist- Dhanbad Petitioner/s

Versus

1. The State of Bihar
2. Ragni Kumari Wife of Late Shantanu Kumar Resident of Village- Chitkohra
Basti Gali No. 3 Near Ashish Medico Nursing Home, Anishabad Dist- Patna
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena, Advocate
For the Opposite Party/s : Ms. Asha Kumari, APP
For the Informant : Mr. Sagar Suman, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-04-2024 Heard Mr. Anil Kumar Saxena, learned counsel for

the petitioner, Mr. Sagar Suman, learned counsel appearing on

behalf of the informant as well as Ms. Asha Kumari, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Gardanibag P.S. Case No. 706 of 2023, F.I.R.
dated 12.10.2023 for the offences punishable under Sections
341, 342, 323, 506, 498(A)/34 of the Indian Penal Code.

3. According to prosecution case, after the death of
the husband of the informant, all the family members including
this petitioner started demanding dowry and on non-fulfillment
of demand of dowry they started torturing her and also evicted
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 the petitioner is the father-in-law of the informant. He further submits that the marriage of the informant was solemnized with the son of the petitioner, namely, Shantanu Kumar in the year 2012 and the present F.I.R has been instituted in the year 2023 and between these years, no complaint was made against the petitioner and after the death of his son who happens to be the husband of the informant, the informant has lodged the present case against the petitioner to take all the property in her own hand.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and he is father-in-law of the informant, 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 Gardanibag P.S. Case No. 706 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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