

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32036 of 2024

Arising Out of PS. Case No.-592 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Amit Kumar S/o- Rampyare Rawat Village - Amba, PO- Maniadda, PS-
Jamui, District - jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. Karishma Kumari W/o- Amit Kumar, D/o- Ganga Sagar Mahto Vill- Amba
Po- Maniadda Ps- jamui Dist- Jamui Village - Madho Tola, Ward no 25, PS-
Mokama, District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Prasoon Kumar, Advocate Mr. Suraj Kumar, Advocate
For the State	:	Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 22-05-2024 Heard Ld. counsel for the petitioner and

Ld. APP for the State.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 592 of 2023 dated 02.08.2023, registered for the offences punishable under Sections 498A, 323 and 341 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

3. As per the complaint case, there is allegation of demand of dowry of Rs.3,00,000/- and on account of non-fulfillment of the said demand, the petitioner along with other co-accused persons started torturing her physically and



mentally.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that on account of matrimonial discord, this false criminal complaint has been filed. He further submits that petitioner is willing to keep his wife-complainant in his matrimonial home. Petitioner has also filed matrimonial petition before Family Court for restitution of conjugal life under Section 9 of the Hindu Marriage Act. He also submits that the maximum punishment for the alleged offence is three years.

5. It has also been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

6. It is also stated in paragraph no. 2 of the petition that petitioner has never moved before this Hon'ble Court for grant of Anticipatory Bail or Regular Bail.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for anticipatory bail.

8. Considering the aforesaid facts and circumstances of the case, this application is allowed, directing the petitioner above named, to be enlarged on bail in the event of his arrest or surrender before Ld. trial court within a period of eight weeks from the date of receipt / production of a copy of this order, on



his furnishing bail bond in the sum of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. S.D.J.M., Barh, Patna, in connection with Complaint Case No. 592 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of Ld. trial court that the petitioner has any criminal antecedent, Ld. trial court shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of Ld. trial court that statement regarding previous bail petition is wrong, Ld. trial court shall cancel the bail bond of the petitioner.

(Jitendra Kumar, J.)

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