

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30810 of 2024

Arising Out of PS. Case No.-332 Year-2023 Thana- TATARPUR District- Bhagalpur

Abhishek Rajvansh S/o- Shailendra Kumar Singh Resident of Shri Ram
Tower Gaushala Road PS- Tatarpur Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate

For the State : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 21-05-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Tatarpur P.S. Case No.-332 of 2023,
registered for the offences punishable under Sections 498(A),
379, 341, 323, 506/34 of the Indian Penal Code and Section 3/4
of the Dowry Prohibition Act.

3. The prosecution case as emerges from the FIR is
that there is an allegation of torture and demand of dowry
against the Petitioner and his family members.

4. Ld. counsel for the Petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that in fact this is a case of failed
marriage and this Criminal case has been filed by the Informant-



wife on account of matrimonial discord. One maintenance case is also filed by the Informant-wife against the Petitioner-Husband in the family Court at Bhagalpur. The Petitioner-Husband also filed one matrimonial case for divorce. He further submits that in the written report, allegation against the accused including the Petitioner is general and omnibus in nature. There is no specific allegation of any physical violence with reference to date, time, place and nature of the injury. He further submits that the maximum punishment for the alleged offence is three years.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has no criminal antecedents.

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

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



furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Additional Sessions Judge-XIII, Bhagalpur, in connection with Tatarpur P.S. Case No.-332 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 the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds 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 the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

Chandan/
shailendra-

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