

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33198 of 2024

Arising Out of PS. Case No.-822 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Amit Kumar son of Birendra Khalifa Resident of Village- Sadawah, P.S.-
Dulhin Bazar, Dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Pooja Devi @ Puja Kumari D/o Gullu Nut, W/o Amit Kumar Resident of
Village- Sadawah, P.S.- Dulhin Bazar, Dist.- Patna, At present Resident of
Village- Sadishopur, P.S.- Bihta, Dist.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gauri Shankar Thakur, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, 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 seeks anticipatory bail, apprehending
his arrest, in connection with Complaint Case No. 822-C of
2022, registered for the offences punishable under Sections
498(A) of the Indian Penal Code.

3. The prosecution case as emerges from the FIR is
that the Petitioner along with his family members demanded
dowry and tortured the informant. On non-fulfillment of the
demand, she was ousted from the matrimonial house. After
panchayti, she started living with them. However, after some
time they again started demanding dowry and on non-fulfillment



of the demand, they tried to kill her by setting her on fire.

4. Ld. 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 the present criminal complaint has been filed making false allegation. He further submits that 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 paragraph no.3 of the bail 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 Chief Judicial Magistrate,



Danapur, in connection with Complaint Case No. 822-C of 2022, 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)

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