

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34430 of 2024

Arising Out of PS. Case No.-1902 Year-2020 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Shashi Bhushan Kumar @ Shashi Bhushan Gupta @ Shashi Bhushan Sah
S/o- Late Srikant Sah Village- Jahangirpur, P.S. PO-Sonepur, District Saran
... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari wife of Shashi Bhushan Kumar @ Shashi Bhushan Gupta
@ Shashi Bhushan Sah Village- Jahangirpur Po Ps- Sonepur Dist- Saran,
P/A- Priyanka Kumari D/o- Sri Shivchandra Sah Vill- Hariharpur Po-
Rajauli Ps- Hajipur Sadar Dist- Vaishali
... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vasant Vikas, Advocate
For the State	:	Mr. Raj Kishor Singh, APP
For the Complainant	:	Ms. Shristi Rani, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 26-10-2024 Heard Mr. Vasant Vikas, learned counsel for the

petitioner, Ms. Shristi Rani, learned counsel for the complainant
and Mr. Raj Kishor Singh, learned Additional Public Prosecutor
for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 1902 of 2020 for the
offences punishable under Section 498(A) of the Indian Penal
Code.

3. According to prosecution case, petitioner has illicit
relationship with her sister in law. When the complainant
objected this, all the accused persons including the petitioner
have started to demand Rs. 2,00,000/- (Two Lakh) as dowry and
on non-fulfillment of the same the complainant was tortured



mentally and physically.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the complainant has also filed a Hajipur Sadar P.S. Case No. 609 of 2022 for same set of allegation as stated in the complaint petition and the petitioner was granted the privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 24.06.2023 passed in Cr. Misc. No. 28914 of 2023 and it appears that complainant has filed the present false case against the petitioner only to harass him. He further submits that as per the allegation as stated in the para-4 of the complaint petition the petitioner is not ready to live with the complainant. He further submits that on the instruction received from the petitioner that the petitioner is ready to pay Rs.5,000/- (Five Thousand) per month to the complainant and her son till the disposal of the maintenance case, if any, in the bank account of the complainant which is as follows;

Name- Priyanka Kumari

Account No.- 18143211023180

Bank Name - UCO Bank Branch

IFSC Code - UCBA0001814

5. Learned counsel for the complainant has no



objection in this regard.

6. Considering the aforesaid facts and circumstances, 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No. 1902 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. The petitioner shall deposit Rs. 5,000/- by way of demand draft in favour of the complainant/Opposite Party No.2 at the time of furnishing bail bond and the learned Court below is directed to hand over the same in favour of the complainant or his representative and the petitioner shall pay Rs.5,000 per month regularly to the complainant/Opposite Party No.2 in her bank account and if the petitioner fails to pay the aforesaid maintenance amount to the complainant/Opposite Party No.2, the complainant/Opposite Party No.2 shall be at liberty to move before the learned Court below for cancellation of the bail bond of the petitioner.



ii. 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.

iii. 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.

iv. 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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