

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41126 of 2024

Arising Out of PS. Case No.-460 Year-2023 Thana- BAHERA District- Darbhanga

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Bipul Kumar @ Vipul Lal Dev @ Vipul Lal Deo @ Vipul Lal Devi Son Of
Late Jivachh Lal Yadav @ Bichh Lal Devi Resident of Village - Ufardaha,
Police Station - Bahera, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-07-2024 Heard Mr. Ashok Kumar Prasad, learned counsel for

the petitioner and Mr. Pramod Kumar Pandey, learned APP for

the State.

2. The petitioner is apprehending his arrest
connection with Bahera P.S. Case No. 460 of 2023, F.I.R. dated
17.12.2023 registered for the offences punishable under
Sections 306/34 of the Indian Penal Code.

3. Allegation against the petitioner is of demand of
dowry for the marriage of his son.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R. and he has never demanded dowry for the marriage of his son with the deceased. He further submits that the petitioner has been made accused merely on the ground that he is the father of co-accused Vivek Kumar Dev and Vivek Kumar Dev is in judicial custody since 22.02.2024.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner has been made accused on the ground that he has demanded dowry for the marriage of his son namely Vivek Kumar Dev and the said Vivek Kumar Dev is in judicial custody, let the petitioner, above named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Benipur, Darbhanga in connection with Bahera P.S. Case No. 460 of 2023 corresponding to G.R. No. 412 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-



(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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