

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49394 of 2024

Arising Out of PS. Case No.-33 Year-2023 Thana- MAHILA PS District- Gaya

Shyam Kumar @Shyam Verma @ Shyan Verma Son Of Ram Prakash Verma
R/O Vill-Kurjee Shakti Nagar Balu Par, Ps-Digha, Dist-Patna (Dist- Gaya
Wrongly Mentioned In Column 7 Of The Fir)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kiran Kumari Wife Of Shyam Kumar @ Shyam Verma Village- Gewal
Bigha, Ps- Gaya Muffasil, Dist- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sanjay Kumar, Advocate
	:	Mr. Kumari Vandana, Advocate
For the State	:	Mr. Bishweshwar Ram, APP
For the O.P. No. 2	:	Mr. Dharendra Prasad Sinha, Advocate
		Ms. Rina Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 26-10-2024 Heard learned counsel for the petitioner and learned
APP for the State as well as Opposite Party No. 2.

2. The present petition has been filed on behalf of the
petitioner, apprehending his arrest, in connection with Mahila
P.S. Case No. 33 of 2023 registered for the offences punishable
under Sections 341, 323, 498A, 379, 504 and 506/34 of the
Indian Penal Code.

3. As per allegation, the petitioner has subjected the
complainant/wife to cruelty after marriage on account of non-
fulfillment of demand of dowry.

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 the present case has been filed. He also submits that the allegation against the petitioner is general and omnibus in nature. He next 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 bail petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State and Opposite Party No. 2 vehemently oppose the prayer of the Petitioner for anticipatory 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 learned Sub Divisional Judicial Magistrate, Gaya



in connection with Mahila P.S. Case No. 33 of 2023, subject to the conditions as laid down under Section 438 (2) Cr. PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned 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, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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