

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52615 of 2024

Arising Out of PS. Case No.-2357 Year-2023 Thana- SARAN COMPLAINT CASE District-
Saran

=====

Ajay Kumar @ Aditya Singh @ Aadit Singh SON OF KRISHNA PRASAD
@ KRISHNA LAL @ KRISHN LAL VILLAGE- KAMLA, PS-
BANIYAPUR, DIST- SARAN

... .. Petitioner/s

Versus

1. The State of Bihar
2. Radha Chaurasiya Wife Of Ajay Kumar @ Aditya Singh @ Aadit Singh
Village- Rajauli, Ps- Panapur, Dist- Saran At Chapra, At P/S- Residing At
Govt. Saw Mill Road, Aadarsh Nagar Colony, Silliguri Bazar, Ward No. 4,
Near Jhankar More Ps- Khalpara, Dist- Darjeeling, West Bengal.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar Singh, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha.1, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case no. 2357 of 2023, Trial No.
478 of 2023 in which cognizance has been taken under Sections
498A and 323 of the Indian Penal Code.

3. According to prosecution case, after the marriage,
complainant was subjected to cruelty, torture and harassment on
non-fulfillment of the demand of dowry by the petitioner and his
family members.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. He further submits that the petitioner is made accused merely on the basis that he is husband of the complainant. He further submits that despite of various efforts, the complainant is not ready to live with petitioner and accordingly restitution of Conjugal Rights Case No. 223 of 2021 was filed in the Court of learned Family Court, Saran at Chapra on 02.11.2021 and thereafter the present complaint has been filed against the petitioner.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and considering that the petitioner has clean antecedent, 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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Saran at Chapra in connection with Complaint Case no. 2357 of 2023, Trial No. 478 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with



other following conditions:-

i. 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.

ii. If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 bonds 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)

Prakash/-

U			
---	--	--	--

