

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71463 of 2024

Arising Out of PS. Case No.-2088 Year-2023 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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Akash Raj Singh @ Akash Kumar S/O Satyanarayan Singh, R/O Village
Lodipur Goraul P.S. Goraul District Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Purnima Kumari D/o Sanjay Prasad, R/o Mohalla- Amgola, P.S.-Kazi
Mohammadpur, District-Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ravi Ranjan, Advocate
For the State	:	Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-10-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Muzaffarpur Complaint Case No. 2088 of
2023 dated 16.06.2023, registered for the offences punishable
under Sections 498(A) and 323 of the Indian Penal Code.

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

4. Ld. counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that marriage is not working. Hence,



this false case has been lodged by the wife/complainant. Moreover, there is no proof of any violence caused to the complainant/wife by the petitioner and maximum punishment as per the alleged offence is 3 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 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. A.C.J.M.-1st., Muzaffarpur (East), in connection with Muzaffarpur Complaint Case No. 2088 of 2023, 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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