

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71996 of 2024

Arising Out of PS. Case No.-1334 Year-2022 Thana- COMPLAINT CASE District- Banka

Pawan Yadav S/o- Udeswar Yadav Resident of Bora P.S- Suiya Dist- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vinod Yadav Son of late Aklu Yadav Village- Papreva Ps- Katoriya Dist- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Pandey, Advocate
For the State	:	Mr. Suresh Prasad Singh, APP

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 Complaint Case No. C-1334 of 2022, filed for the offences punishable under Sections 341, 323, 498(A), 504 read with Section 34 of the Indian Penal Code and Section 3 of Dowry Prohibition Act.

3. The prosecution has been initiated by filing complaint by father of the victim, who is wife of the petitioner herein. As per the allegation, the petitioner husband has subjected the daughter of the complainant to cruelty on account of non-fulfillment of demand of dowry 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 on account of matrimonial discord, this false complaint case has been filed. Even as per the allegation, the maximum punishment for 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 antecedent.

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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. S.D.J.M., Banka in connection with Complaint Case No. C-1334 of 2022, 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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