

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77129 of 2024

Arising Out of PS. Case No.-130 Year-2024 Thana- KHUSRUPUR District- Patna

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Bidhyak @ Bidhayak Kumar @ Bidhyak Yadav Son of RamBali Yadav @
RamBali Singh Resident of village-Mosimpur, P.S.- Khushrupur, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anju Kumari Wife of Bidhyak Kumar Resident of village- Mosimpur, P.S.-
Kusroopur, Distt.- Patna Also at Anju Kumari , D/o Munarik Rai, Resident
of Malikpur, P.S.- Raghobpur, Distt.- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar
For the Opposite Party/s	:	Mr. Parmanand Kumar
For the Informant	:	Mr. Abhishek Anand, Adv. Mrs. Madhuri Kumari, Adv.

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 26-10-2024 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the Informant.

2. The petitioner seeks bail in connection with
Khusrupur P.S. Case No. 130 of 2024 instituted for the offences
under Section 498(A) of the Indian Penal Code and Section 3/4
of the Dowry Prohibition Act.

3. As per prosecution case, the accusation against the
petitioner along with other accused persons is of torturing and
demanding Rs. 10,00,000/- as dowry from the Informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. Learned counsel for the petitioner submits that though the petitioner is alleged to be the husband of the Informant but, the Informant and the petitioner have never resided as husband and wife. As a matter of fact, the Informant's husband has already died who was the elder brother of the present petitioner and, thereafter, she wanted to marry with the petitioner and due to that reason, she has falsely implicated the petitioner in this case. The petitioner has never demanded any dowry nor has committed any cruelty upon her and, in fact, the petitioner has nothing to do with the Informant. The petitioner has three criminal antecedent and is languishing in judicial custody since 29.05.2024 without any rhymes or reason. The police after completion of investigation has submitted charge-sheet under Section 341, 323, 498(A), 494, 504, 506/34 of the I.P.C. and Section 3/4 of the D.P. Act against the petitioner.

5. On the other hand, learned A.P.P. for the State as well as learned counsel for the Informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner,



let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Khusrupur P.S. Case No. 130 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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