

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81047 of 2023

Arising Out of PS. Case No.-1804 Year-2022 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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DHARMJEET KUMAR Son of Late Gena Lal Sahni R/o vill - Sadpur, P.S. -
Sahebpur Kamal, Distt. - Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anjali Priya D/o Shyam Sundar Chaudhary R/o vill - Badiya, Post - Gada,
P.S. - Bhagwanpur, Distt. - Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-01-2024 Heard Mr.Shubhesh Pandey, learned counsel for

the petitioner and Mr.Mritunjay Kumar Nirala, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Complaint Case No.1804 of 2022 registered for the offences punishable under Sections 498(A),323,307/34 of IPC and Sections 3, 4 of D.P.Act but the cognizance has been taken against the petitioner under Sections 498(A) of IPC and Sections 3/4 of D.P.Act.

3. The complaint case relates to assault and torture to the complainant due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offence as alleged in the complaint petition. In fact the petitioner has purchased a piece of land in the name of the complainant and he has paid every month Rs.10,000/- as loan amount to the Bank. Learned counsel for the petitioner further submits that the petitioner is ready to comply the order of the competent court of law which suggests that the petitioner is required to pay Rs.8,000/-per month to the complainant and the petitioner is ready to pay all the dues amount to the complainant at the time of furnishing his bail bond and he shall pay the maintenance amount each and every month.

5. Learned counsel for the complainant, on the other hand, submits that if the petitioner shall pay the maintenance amount, the complainant has no objection.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his 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 bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Begusarai



in connection with Complaint Case No.1804 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) The petitioner shall produce a demand draft in favour of the complainant at the time of furnishing bail bond of Rs.56,000/- of the dues amount of the maintenance from August 2023 to January 2024 and the petitioner is directed to pay Rs.8,000/- per month of maintenance amount to the complainant every month as directed by the competent court, failing which the complainant shall be at liberty to move before the appropriate forum for cancellation of bail bond of the petitioner.

(II) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(IV) 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/her



criminal antecedent, the court below shall take step for cancellation of bail bond 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)

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