

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84545 of 2024

Arising Out of PS. Case No.-512 Year-2022 Thana- COMPLAINT CASE - PATNA CITY
District- Patna

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Sunil Kumar S/o Sri Rampriti Yadav Resident of Naya Khandha, Police
Station-Telamar, District-Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Komal Devi W/o Shri Sunil Kumar, D/o Suresh Prasad R/o Bhikhua, P.S. -
Fatuha, Distt.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 11-12-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The present petition has been filed on behalf of the
petitioner, apprehending his arrest, in connection with
Complaint Case No. 512 of 2022, registered for the offences
punishable under Sections 323, 504 and 498A of the Indian
Penal Code.

3. As per the allegation, there was demand of
additional dowry and on account of non-fulfillment of the same,
the petitioner-husband and other family members have subjected
the complainant to cruelty.

4. Ld. counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. As a matter of fact, their marriage is not working and on account of matrimonial discord, the present false case has been lodged. He further submits that the maximum punishment prescribed for the alleged offence is three 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 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 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. S.D.J.M., Patna City, Patna, in connection with Complaint Case No. 512 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 criminal antecedents other than the disclosed one, 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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