

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84406 of 2024

Arising Out of PS. Case No.-611 Year-2022 Thana- COMPLAINT CASE - BIKRAMGANJ
District- Rohtas

=====

Akash Giri @ Chhotu Giri Son of Ajay Kumar Giri @ Bablu Giri Resident of
House No. C 6 I D H Kajjapura, P.S.- Aadampur, Distt.- Varanasi (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rakhi Kumari Wife of Akash Giri, D/O- Ranvijay Bharti Resident of
Village- Katael Bal, P.S.- Dawath, Distt.- Rohtas

... .. Opposite Party/s

=====

Appearance :

For the Petitioner	:	Mr. Vivekanand Singh, Advocate
For the State	:	Mr. Akshay Lal Pandit, APP

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
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. 611 of 2022 dated 08.09.2022, registered
for the offence punishable under Section 498-A of the Indian
Penal Code.

3. As per allegation, the petitioner/husband has
illegally demanded dowry and on account of non-fulfillment of
the same, there was cruelty committed by him and his family
members.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. In fact, the marriage is not working on account of matrimonial discord and, hence, this false case has been lodged to harass the petitioner and his family members. He further submits that the petitioner has already filed a Matrimonial Petition before learned Family Court, Varanasi, under Section 9 of the Hindu Marriage Act for restitution of conjugal rights. He also 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 bail petition that the petitioner has no criminal antecedents.

7. Learned 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 Learned Judicial Magistrate 1st class, Bikramganj, Rohtas, in connection with Complaint Case No. 611 of 2022, subject to the conditions as laid down under Section 438 (2) Cr.PC 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, learned 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, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

ramesh/S.Ali/-

U		T	
---	--	---	--

