

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2409 of 2024

Arising Out of PS. Case No.-1718 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Dhananjay Kumar @ Dhananjay Kumar Singh @ Sameer Singh Son Of Late
Kedar Prasad @ Kamdev R/o Mohalla- Bhairo Bandh, New Atewarpur, P.S.-
Parsabajar, P.O.- Kurthol, Dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjeeta Devi Wife Of Dhananjay Kumar @ Dhananjay Kumar Singh @
Sameer Singh D/O Late Balkishun Prasad Village- Bhairo Bandh, New
Atebarpur, Kurthol, Dist.- Patna At Present C/O Late Bal Kishun Prasad, R/o
Jaganpura, P.S.- Ramkrishna Nagar, Dist.- Patna at present-New jaganpura,
P.S.-Ramkrishna Nagar, District-Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Atul Kumar Mehta, Advocate
For the Opposite Party/s : Mr.Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 16-04-2024 Heard Mr.Atul Kumar Mehta, learned counsel for the

petitioner, learned counsel for the complainant and

Mr.Mohammad Sufyan, learned Additional Public Prosecutor

for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No.1718(C) of 2020,
registered for the offences punishable under Section 498(A) of
IPC and 3/4 of Dowry Prohibition Act.

3. Allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of demand of
dowry.



4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. In fact the marriage was solemnized with the complainant in the year 1997 and between the 1997 till the date of present complaint case, there is no complain against the petitioner and due to property dispute, the present complaint case has been filed against the petitioner only to pressurize him to hand over the lands in the name of the complainant and from a bare perusal of the complaint petition, it appears that there is no specific allegation against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner.

5. Learned counsel for the complainant and learned APP for the State, on the other hand, have vehemently opposed the prayer for anticipatory bail of the petitioner and submits that after the present complaint petition, the complainant has filed another FIR bearing Ram Krishna Nagar P.S.Case No.253 of 2020 against the petitioner but the learned counsel for the complainant has failed to produce any medical certificate which suggests that the complainant has received any injury and apart from the aforesaid the petitioner carries one more case other than the present one which was filed by the complainant, who is



also wife of the petitioner.

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 Sub Divisional Judicial Magistrate, Patna in connection with Complaint Case No.1718(C) of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) 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 bonds shall be cancelled by the Court below.

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

(III) 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 antecedents, 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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