

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1564 of 2024

Arising Out of PS. Case No.-34 Year-2023 Thana- MAHILA PS District- Darbhanga

Randhir Kumar @ Randhir Kumar Rai Son of Kamlesh Rai Resident of
Village-Chakmehsi, P.S.-Chakmehsi, Distt-Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bhavya Wife of Randhir Kumr, D/o Sri Nawal Kishor Thakur R/o Mohalla-
Housing Board Colony, P.S.-Bahdurpur, Distt-Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Saurav Anand, Advocate
For the Opposite Party/s	:	Mr. Kumar Ranjit Ranjan, APP
For the Informant	:	Mr. Vinjay Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 18-04-2024 Heard Mr. Saurav Anand, learned counsel for the

petitioner, Mr. Vinay Kumar Mishra, learned counsel appearing
on behalf of the informant as well as Mr. Kumar Ranjit Ranjan,
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Mahila P.S. Case No. 34 of 2023, F.I.R. dated
01.05.2023 for the offences punishable under Sections 498(A),
323, 379, 504, 506 and 34 of the Indian Penal Code and Section
¾ of the D.P. Act.

3. According to prosecution case, all the accused
persons including this petitioner have tortured and assaulted the
informant due to non-fulfillment of demand of dowry.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. and he has never demanded any dowry from the family members of the informant. He further submits that as per the allegation in the F.I.R, the petitioner has performed second marriage but in reality he has never performed any second marriage and the informant has stated that one Nidhi Kumari is living with the petitioner but in fact, the said Nidhi Kumari is living with her grand father who is father of the petitioner. He further submits that the petitioner is ready to deposit Rs. 5,000/- per month to the informant as interim maintenance till the disposal of the maintenance case if any filed by the informant.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and he is ready to deposit Rs. 5,000/- per month to the informant as interim maintenance till the disposal of the maintenance case if any filed



by the informant, let the petitioner, above named, in the event of 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 the learned Sub Divisional Judicial Magistrate, Darbhanga in connection with Mahila P.S. Case No. 34 of 2023, 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 deposit Rs. 5,000/- per month in the saving bank account of the informant bearing Account No. 42898994280 and IFSC : SBIN0000062 of State Bank of India.

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 absence on two consecutive dates without sufficient reason, his 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 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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