

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7179 of 2024

Arising Out of PS. Case No.-831 Year-2023 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Ritik Roshan S/o Tapeswar Sharma R/o Village- Wasilpur near Durga
Mandap, P.S.- Arwal, Distt- Arwal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khusbu Kumari W/o Ritik Roshan , D/o Anuj Kumar Dipak R/o Village-
Miya Bigha, P.S.- Nardiganj, Distt- Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the Complainant	:	Mr. Arun Kumar, Advocate
For the Opposite Party/s	:	Mrs. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-02-2024 Heard Mr. Sanjay Kumar, learned counsel for the

petitioner, Mr. Arun Kumar, learned counsel appearing on behalf

of the Complainant and Ms. Gulnar Begum, learned APP for the

State.

2. The petitioner is apprehending his arrest
connection with Complaint Case No. 831 of 2023, dated
30.06.2023 registered for the offences punishable under
Sections 498A, 323, 341, 504 of the Indian Penal Code and
Sections 3 and 4 of Dowry Prohibition Act but the learned Court
below has taken cognizance under Section 498A of the Indian
Penal Code and Section 4 of the Dowry Prohibition Act.

3. Petitioner is husband of the Complainant.



Allegation is of demand and dowry and torture for the same.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case merely on the ground that the petitioner is the husband of the complainant. He further submits that before lodging the present complaint petition the petitioner has already filed a Matrimonial Suit No. 129 of 2022 under Section 9 of the Hindu Marriage Act on 07.09.2022 and when the complainant came to know about the matrimonial suit then he filed the complaint petition against the petitioner and their family members.

5. Learned counsel appearing on behalf of the Complainant as well as learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Nawada in connection with Complaint Case No. 831 of 2023, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) 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.

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

(3) 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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