

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5362 of 2025

Arising Out of PS. Case No.-1634 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

=====

Rajendra Chaudhary @ Rajendra Kumar @ Rajendar Chaudhary Son of
Rampati Chaudhary @ Tapesar Chaudhary, R/o village- Sanu, PS- Amas,
Dist- Gaya and At P/A- Resides at Village- Akthu, PS - Belaganj, Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Devi Wife of Rajendra Chaudhary @ Rajendra Kumar @ Rajendar Chaudhary, D/o Rampati Devi, Village- Sanu, PS- Amas, Dist- Gaya and At P/A- Resides at Village- Akthu, P.S. - Belaganj, Dist- Gaya

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Singh, Advocate Ms. Swati Parmar, Advocate
For the State	:	Mr. Akbar Ali, APP

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-02-2025 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Gaya Complaint Case No. 1634 of 2017,
filed for the offences punishable under Sections 498(A) of the
Indian Penal Code and Section 4 of the D.P. Act.

3. As per allegation, there was demand of additional
dowry after marriage and on account of non-fulfillment of the
same, the complainant/wife was subjected to torturing by the
petitioner and there is no child born out of the wedlock.

4. Ld. counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that as a matter of fact, on account of no child, complainant/wife was dissatisfied with the marriage and she has even left the matrimonial house of the petitioner on her own and entered into second marriage with someone else and this false case has been filed with ulterior motive. 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 bail petition that the petitioner has no criminal antecedents.

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., Gaya, in connection with Gaya Complaint Case No. 1634 of 2017, 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 any criminal antecedents, 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.)

ravishankar/-

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

