

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14058 of 2025

Arising Out of PS. Case No.-403 Year-2023 Thana- BAHADURPUR District- Patna

Surendra Kumar Singh, S/O Late Deobrat Singh, Resident of village-
Tamanna House, Panchvati Nagar, P.S.- Bahadurpur, Distt.- Patna.

... .. Petitioner

Versus

1. The State of Bihar
2. Rajni Kumari, W/o Surendra Kumar Singh, D/o Late Vijay Kumar, R/o
Village- Tamanna House, Panchvati Nagar, Bazar Samiti, Railway Line Ke
Bagal me, P.S- Bahadurpur, Distt.- Patna.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Amresh Kumar Sinha, Advocate Mr. Shashi Bhushan Singh, Advocate
For the State	:	Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Bahadurpur P.S. Case No. 403 of 2023, dated
19.10.2023 registered for the offences punishable under
Sections 498(A), 504 and 506 of the Indian Penal Code and
Section 3/4 of the Dowry Prohibition Act.

3. As per the allegation, the informant legally wedded
wife of the petitioner and after the marriage, informant has been
subjected to cruelty on account of non-fulfillment of demand of
dowry and she has been ultimately ousted from her matrimonial
home.



4. Learned 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, the marriage is not working on account of different temperament of the informant-wife and she is not adjusting to the family environment. He further submits that even the petitioner has filed divorce petition under Section 13 of the Hindu Marriage Act against his wife for dissolution of his marriage with the informant-wife and in retaliation, the present false case has been lodged by the informant. 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 antecedent.

7. However, 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-Ist, Patna City, in connection with Bahadurpur P.S. Case No. 403 of 2023, 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.)

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