

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18375 of 2024

Arising Out of PS. Case No.-1297 Year-2022 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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SUDHIR KUMAR @ SUDHIR CHAUHAN @ NANDRAM SON OF RAM
NANDAN CHOUHAN @ RAMA NANDAN PRASAD RESIDENT OF
VILLAGE - SARSU BELDARI, P.S. - ANTARI, DISTRICT - GAYA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. PREMLATA DEVI WIFE OF SUDHIR KUMAR @ SUDHIR CHAUHAN
RESIDENT OF VILLAGE - SARSU BELDARI, P.S. - ANTARI,
DISTRICT - GAYA, PIN NO. 823311 AT PRESENT - PREMLATA DEVI,
D/O. SITA RAM CHAUHAN, RESIDENT OF VILLAGE -
BAIJNATHPUR TOLA CHANDAL GODH, P.S. - SIRDALLA, DISTRICT
- NAWADA, PIN 805103

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 11-04-2025 Heard Mr. Arjun Prasad, learned counsel for the

petitioner and Mr. Ganesh Prasad Singh, learned Additional

Public Prosecutor for the State.

2. Despite of valid service upon the Opposition
Party No.2, no one has appeared on behalf of the Opposition
Party No. 2.

3. The petitioner is apprehending his arrest in
connection with Complaint Case No. 1297 of 2022 dated



17.10.2022 for the offences punishable under Sections 498(A), 494, 323, 506 of Bhartiya Nyay Sanhita.

4. As per the First Information Report the petitioner, who is husband of opposite party no. 2, is said to have tortured upon her physically and mentally and ousted her from her matrimonial home in association of his family members over the dowry demand.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the allegation as alleged in the complaint petition is false and fabricated. He further submits there is no specific allegation of assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including this petitioner.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances, there is no specific allegation against the petitioner and the petitioner has clean antecedent, 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 S.D.J.M., Nawada in connection with Complaint Case No. 1297 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

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 criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bond 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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