

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17388 of 2025

Arising Out of PS. Case No.-296 Year-2024 Thana- VISHNUPAD District- Gaya

Adarsh Raj @ Vikky Yadav @ Vikky S/O Raj Kishore Kumar R/O Mohalla-
Hanuman Nagar, Maranpur, Near Bye Pass, P.S.- Vishnupad temple, Dist.-
Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinki Kumari W/O Adarsh Raj @ Vikky Yadav @ Vikky, D/O Awdhesh
Yadav R/at Vill.- Ismailpur, P.S.- Tekari, Dist.- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Singh, Advocate
For the State	:	Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Vishnupad P.S. Case No. 296 of 2024, dated
09.10.2024, registered for the offences punishable under
Sections 126(2), 115(2), 351(2), 352, 85 and 3(5) of B.N.S. and
Section ¾ of D.P. Act.

3. As per allegation, the informant wife is being
tortured by her husband-petitioner and his family members on
account of non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this



case. He further submits that the informant-wife is a lady of quarrelsome nature and she has left the matrimonial home on her own and that is why, the petitioner-husband has filed one matrimonial petition under Section 9 of the Hindu Marriage Act for restitution of conjugal rights against the informant-wife and thereafter, the present false case has been lodged by her.

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 concerned Court below, in connection with Vishnupad P.S. Case No. 296 of 2024, 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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