

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18500 of 2025

Arising Out of PS. Case No.-2462 Year-2011 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Vijendra Rai @ Bijendra Rai S/o- Jagat Rai @ Ram Sagar Rai R/O Mohalla-
Chek Post-Dharamshala Didarganj, P.S. Didarganj, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rita Kumari W/o- Vijendra Rai @ Bijendra Rai, D/o- Sipahi Rai Village-
Madarpur Ps- Ganga Bridge Dist- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Khurshid Anwar, APP
For the Complainant	:	Mr. Krishna Kant Upadhyay, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

- 3 25-06-2025 Heard learned counsel for the petitioner and learned APP

for the State as also learned counsel for the complainant.

Perused the case diary.

2. The petitioner seeks bail in connection with

Complaint Case No. 2462/2011 vide Tr. No. 621/2024 instituted

for the offence under Sections 498(A) of the Indian Penal Code

and Sections 3/4 of the Dowry Prohibition Act. Earlier vide order

dated 09-07-2015, passed in Cr. Misc. No. 50964 of 2014,

anticipatory bail of the petitioner was dismissed as withdrawn.

Again, vide order dated 11-11-2024, passed in Cr. Misc. No.

73386 of 2024, anticipatory bail of the petitioner was rejected

by a Co-ordinate Bench of this Court.



3. As per the prosecution case, the complainant was married to the petitioner herein in the year 2006. Soon thereafter, the accused persons, including the petitioner herein who was having illicit relations with the complainant's *Jethani*, started to assault, abuse and torture the complainant. She was forced out of the house in the year 2011 and thus the complaint.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05-12-2024. Petitioner bears no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that petitioner never demanded any dowry to the complainant or her parents, the petitioner never harassed and ousted the complainant from her matrimonial house for non-fulfillment of demand of dowry. Learned counsel for the petitioner submits that if the complainant desires to live with the petitioner, he is ready to keep her with full honour and dignity.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to the impugned order, learned counsel for the complainant



submits that petitioner was directed to pay Rs. 6000/- per month in Maintenance Case No. 133 of 2012, but he has not paid anything till date.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, nature of accusation against the petitioner and period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Complaint Case No. 2462/2011 vide Tr. No. 621/2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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