

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25315 of 2025

Arising Out of PS. Case No.-578 Year-2023 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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SUBODH DAS S/o- Upendra Narayan Gupta Village- W.No-10, Sasan Ps-
Hasanpur Dist- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sharmila Kumari W/o- Subodh Das, D/o- Late Krishndev Prasad Das R/o-
W.NO-10, Sasan Ps- Hasanpur Dist- Samastipur, P/A- W.No-5, Fulwariya
Ps- Fulwariya Dist- Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nishant Sinha, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-04-2025 Heard Mr. Nishant Sinha, learned counsel for the

petitioner and Mr. Anil Kumar Singh No. 1, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 578-c of 2023 for the
offences punishable under Sections 438(A) and 34 of the
Indian Penal Code and Sections 3 and 4 of the Dowry
Prohibition Act.

3. According to prosecution case, after the
marriage of the complainant with the petitioner (husband), the
petitioner started beating her.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the petitioner has been made accused merely on the ground that he is the husband of the complainant, in fact, the marriage of the complainant with the petitioner was solemnized in the year 2004 itself and from 2004 to 2023 the complainant has not filed any Complaint Petition or F.I.R. against the petitioner. He further submits in the Court below that the complainant has appeared and she is not ready to live with the petitioner and she has asked the Court for one time settlement and she has also asked for Rs. 50 lakhs from the petitioner but the petitioner is not ready to pay the aforesaid amount to the complainant. The petitioner has stated that there is two lands which are in the name of the complainant and the complainant may sell the lands and receive the amount.

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

6. Considering the aforesaid facts, the petitioner has clean antecedent and the complainant is not ready to live with the petitioner and she also asked for one time settlement,



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., Begusarai in connection with Complaint Case No. 578-c of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 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 bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

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