

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26845 of 2024

Arising Out of PS. Case No.-835 Year-2020 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Pankaj Kumar Son of Pramod Ray Resident of Village- Gauspur, Police
Station- Jandaha, Dist.- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Meena Devi @ Mina Devi Wife of Ram Swarath Ray Resident of village-
Chakjalal, Police Station- Tajpur (Halai O.P.), Dist.- Samastipur
3. Ranju Devi W/O - Pankaj Kumar, D/O- Ram Swarath Ray R/O Of Vill.-
Chakjalal, PS- Tajpur(Hali O.P.) , District- Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mahendra Pratap, Advocate
For the O.P. Nos. 2 & 3	:	Mr. Rajesh Kumar, Advocate
For the State	:	Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 23-01-2025 Heard Mr. Mahendra Pratap, learned counsel for the

petitioner, Mr. Rajesh Kumar, learned counsel for the Opposite

Party Nos. 2 & 3 as well as Mr. Bhanu Pratap Singh, learned APP

for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 835 of 2020, dated
21.08.2020 registered for the offences punishable under Sections
498(A) of the Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

3. Petitioner is the husband of the Complainant.
Allegation against the petitioner is of demand of dowry and



torture for the same.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely 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 offence as alleged in the F.I.R. and the petitioner has not demanded any dowry from the family members of the complainant.

5. Vide order dated 20.09.2024, the matter was referred before the learned Mediator, Patna High Court to explore the possibilities for amicable settlement of dispute between the parties.

6. Report of learned Mediator dated 20.11.2024 reveals that inspite of best and sincere efforts, the dispute between the parties could not be resolved

7. It appears that Opposite Party No. 2 has entered appearance but despite of repeated calls, no one appears on behalf of Opposite Party No. 2.

8. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



S.D.J.M. Samastipur in connection with Complaint Case No. 835 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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)

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