

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26386 of 2025

Arising Out of PS. Case No.-1193 Year-2022 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Rajo Chauhan @ Raju Kumar @ Raju Chauhan @ Chauhan S/o Munni Lal
Chauhan Resident Of Village- Bhola Kurha, Ps- Parnadabar, District- Nawada
... .. Petitioner/s

Versus

1. The State of Bihar
 2. Arti Kumari D/o- Fagu Chauhan, R/o- Manwan Bigha, P.S.-Hisua, Dist-
Nawada
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 09-07-2025 Heard Mr. Sheo Kumar Prasad, learned counsel for

the petitioner and Mr. Man Mohan Kumar, learned counsel for

the complainant and Mr. Ajay Kumar Jha, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with Complaint Case No. 1193 of 2022, F.I.R. dated 23.09.2022
for the offences punishable under Sections 498(A) and 307 of
the Indian Penal Code but the learned Court below has taken
cognizance only under Section 498(A) of the Indian Penal Code.

3. According to prosecution case, petitioner is the
husband of informant, with whom it is alleged that he has
tortured her and started asking for dowry i.e. to take rupees and
a bike where she could not ful-fill, they ousted her from her



house and also assaulted in panchayti.

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. Learned counsel for the petitioner submits that on 29.05.2024 both the parties have entered into an agreement and petitioner is ready to pay Rs. 3,25,000/- (Rupees Three Lakh Twenty Five Thousand) to the complainant as one time settlement.

5. Learned counsel for the complainant is ready to withdraw all the cases which are pending against the petitioner.

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

7. Considering the aforesaid facts and circumstances, 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Nawada in connection with



Complaint Case No. 1193 of 2022, 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 At the time of furnishing bail bond, the petitioner shall deposit Rs. 2,00,000/- (Rupees Two Lakh) by way of demand draft in favour of the complainant and the learned Court below is directed to hand over the said demand draft to the complainant or her representative and the rest of Rs 1,25,000/- (Rupees One Lakh Twenty Five Thousand) amount shall be paid by the petitioner to the complainant after withdrawal of all the cases by the complainant against the petitioner. If the petitioner fails to pay the rest amount, the complainant shall be at liberty to move before the appropriate forum for cancellation of bail bond of the petitioner.

ii. 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.

iii. 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.

iv. 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)

Raj Ranjan/-

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