

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30576 of 2025

Arising Out of PS. Case No.-255 Year-2023 Thana- COMPLAINT CASE - MASAUHRI
District- Patna

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Durgesh Kumar S/o Mahesh Prasad Resident of Village- Chamandi, PO-
korma, PS- Chiksaura, Distt.- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sobha Kumari W/o Dugeshe Kumar, D/o Anil Prasad R/o (Mother House),
vill - Anauli, P.O. and P.S - Bhagwanganj, Distt.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Sinha, Advocate
For the Opposite Party/s	:	Ms. Gulnar Begum, APP
For the Complainant	:	Mr. Chaitanya Swaroop, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-08-2025 Heard Mr. Sanjay Kumar Sinha, learned counsel

for the petitioner, Mr. Chaitanya, learned counsel appearing on

behalf of the complainant as well as Ms. Gulnar Begum, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 255(C) of 2023 for the
offences punishable under Sections 341, 323, 379, 307, 504,
506, 498(A) and 34 of the Indian Penal Code and Section 3/4 of
the Dowry Prohibition Act.

3. According to the prosecution case, this petitioner
along with his family members assaulted and ousted the
complainant from her matrimonial house due to non-fulfillment



of demand of dowry.

4. Learned counsel for the petitioner fairly submits that the pursuant to the direction of this Court vide order dated 14.05.2025, the petitioner had brought back the complainant to her matrimonial house but after sometime, the brother of the complainant had taken away the complainant with him.

5. Learned counsel for the complainant submits that the complainant is present in the Court and she is ready to live with the petitioner.

6. In view of the aforesaid, petitioner is directed to bring back the complainant to her matrimonial house and undertakes to keep her as his wife with honour and dignity.

7. Learned Additional Public Prosecutor for the State has no objection in this regard.

8. Hence, 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 Additional Chief Judicial Magistrate, Masaurhi (Patna) in connection with Complaint Case No. 255(C) of 2023, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure / Section 482(2) of the Bhartiya
Nagarik Suraksha Sanhita 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)

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