

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35728 of 2025

Arising Out of PS. Case No.-134 Year-2024 Thana- PATNA COMPLAINT CASE District-
Patna

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Suraj Kumar @ Vicky Kumar @ Vicky S/o Krishna Kumar R/o Road No 2
Budh Nagar, P.S. Kankarbagh District Patna. At present residing at- H. No. 65
3rd Floor, M- Block, Jagatram Park, Laxmi Nagar, P.S.- Laxmi Nagar,
District- East Delhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deepa Kumari @ Deepa W/o Suraj Kumar @ Vicky Kumar @ Vicky D/o
Ajay Kumar, R/o- Kaliket Nagar, DPS More, Road, P.S.- Rupaspur, Distt.
Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Samrendra Kumar Jha, Advocate
For the Complainant	:	Mr. Advocate
For the State	:	Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2025 Heard Mr. Samrendra Kumar Jha, learned counsel
for the petitioner, learned counsel for the Complainant and Mr.
Nand Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 134(C)/2024 dated
04.01.2024 for the offences punishable under Sections 498A,
406, 420 of Indian Penal Code and Section 3/4 of Dowry
Prohibition Act. The learned court below took cognizance under
Section 498A, 323, 504 of the Indian Penal Code.

3. As per the Complaint Petition, the complainant
alleged that she was earlier married with one Vishal Kumar in



the year 2017 and got divorced in the year 2020 and further married with the petitioner in the year 2021. It is further alleged that after marriage the petitioner and his family members started demanding a flat in Delhi, a house in Patna and Tata Harrier Car. On 11.03.2020 the petitioner along with other accused persons had beaten her and sent her to her father's house. She lastly alleged that the behavior of her husband was also not good with 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 present case is the counter blast of the divorce case bearing HMA Petition No. 2077 of 2023 filed by the petitioner on 26.10.2023 before the competent court of law which was filed much prior to the present complaint case. The learned court below has sent the matter to mediation but the mediation was failed.

5. The learned Additional Public Prosecutor as well as learned counsel for the Complainant have vehemently opposed the prayer for bail of the petitioner and submits that the allegations as alleged in the Complaint Petition is correct and on the basis of that learned court below had taken cognizance



against the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that before the filing of the present complaint petition by complainant on 04.01.2024, the petitioner has already filed a divorce case bearing HMA Petition No. 2077 of 2023 on 26.10.2023 and the petitioner has clean antecedent, 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 JMFC, Patna in connection with Complaint Case No. 134(C)/2024, 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 bond 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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