

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51734 of 2024

Arising Out of PS. Case No.-1170 Year-2023 Thana- MUNGER COMPLAINT CASE
District- Munger

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Pankaj Kumar Son of Late Sufal Paswan Resident of Tanti Tola, P.S.-
Manihari, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ritu Kumari Wife of Sri Pushkar Kumar, D/O Sri Ram Kumar Resident of
Vill- Lal Darwaza, Geeta Babu Road, P.S.- Kotwali, Town and District-
Munger-811201

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Parasmani, Advocate
For the State	:	Ms. Asha Kumari, APP
For the Complainant	:	Mr. Lokesh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 11-04-2025 Heard Mr. Sanjay Parasmani, learned counsel for

the petitioner, Ms. Asha Kumari, learned Additional Public

Prosecutor for the State and Mr. Lokesh, learned counsel for the

complainant.

2. The petitioner is apprehending his arrest in

connection with Complaint Case No. 1170 of 2023 dated

08.11.2023 for the offences punishable under Sections 323,

398A, 504/34 of the Indian Penal Code and Section 4 of the D.P.

Act.

3. According to prosecution case, after marriage

the petitioner along with other co-accused persons is said to



have demanded dowry of Rs. 5,00,000/- cash. It is further alleged that they badly assaulted her, took away ornaments and threatened her that she will not be taken back to her matrimonial home on non-fulfillment of the demand of dowry.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that petitioner is brother-in-law of the complainant. Although, petitioner is named in the complaint petition, but from perusal of the complaint petition, it appears that there is no specific allegation against the petitioner and present complaint petition has been filed on 08.11.2023 and reported that the brother of the petitioner who is happened to be the husband of the complainant has already filed a divorce case bearing Original Suit No. 183 of 2023 on 11.07.2023.

5. The learned Additional Public Prosecutor for the State and learned counsel for the complainant have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the present complaint has been filed after the filing of divorce case by the brother of the petitioner, who is happened to be the



husband of the complainant, 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 C.J.M., Munger in connection with Complaint Case No. 1170 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of the BNSS, 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)

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