

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64842 of 2024

Arising Out of PS. Case No.-1129 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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Satish Kumar Son of Sri Kanhaiya Lal Dehati R/o Punichak, Post- Path
Rahat, P.S.- Dhanarua, Dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Punam Kumari W/o Sri Satish Kumar, D/o Upendra Bhagat R/o New
Tarachak, near State Boring, P.S.- Danapur, Dist.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manisha Rani, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 16-04-2025 Heard Mr. Manisha Rani, learned counsel for the

petitioner and Mr. Humayou Ahmad Khan, learned APP for the

State.

2. Despite valid service of notice upon Opposite
Party No. 2, no one appears on behalf of Opposite Party No. 2.

3. The petitioner is apprehending his arrest in
connection with Complaint Case No. 1129 of 2021, dated
17.11.2021 registered for the offences punishable under
Sections 323, 498A, 420, 406, 504, 506, 120B, 34 of the Indian
Penal Code and Section 3/4 of the Dowry Prohibition Act but the
Cognizance has been taken only under Section 498A read with
34 of the Indian Penal Code and Section 3/4 of the Dowry



Prohibition Act.

4. Petitioner is the husband of the Complainant. Allegation against the petitioner is of demand of dowry and torture for the same.

5. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that before filing of the present complaint petition, the petitioner had filed a complaint petition bearing Complaint Case No. 808 of 2021 and is pending for consideration before the court of learned A.C.J.M. 1st, Danapur and apart from that the Opposite Party No. 2 had filed a Divorce Case No. 2508 of 2023 in the Court of Principle Judge, Family court, Dwarka, New Delhi for grant of desolation of marriage with the petitioner and the Principle Judge, Family Court, Dwarka, New Delhi has been granted Divorce Decree in favour of Opposite Party No. 2 vide order dated 09.10.2024 in Divorce Case No. HMA NO. 2508 of 2023 and the petitioner has brought the same by way of supplementary affidavit.

6. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and



the present complaint petition has been filed on 17.11.2021 after the complaint petition filed by the petitioner on 11.08.2021 and apart from that Opposite Party No. 2 has been granted divorce by the competent court of law, 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 Sub-Divisional Judicial Magistrate, Danapur, Patna in connection with Complaint Case No. 1129 of 2021, 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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