

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62038 of 2024

Arising Out of PS. Case No.-2332 Year-2023 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Prince Pandey S/O Jaiprakash Pandey R/O Village- Roop Bagahi, P.S-
Kateya, District- Gopalganj, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Preeti Devi W/O Prince Pandey R/O Village- Roop Bagahi, P.S- Kateya,
Distt.- Gopalganj, Bihar. Presently residing at D/O Late Nardeshwar Mishra,
Village- Mathiya, P.S- Vijaipur, Distt.- Gopalganj, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Indrajeet Bhushan, Advocate
For the State	:	Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-06-2025 Heard Mr. Indrajeet Bhushan, learned counsel for the

petitioner and Mr. Uma Shankar Prasad, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in

connection with Complaint Case No. 2332 of 2023, Tr. No.

3561 of 2024 for the offences punishable under Sections 498-A

of the Indian Penal Code.

3. According to prosecution case, the complainant

got married with the petitioner and after the marriage the

petitioner and other accused persons started torturing the

complainant for dowry.

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. He further submits that in fact, the petitioner has filed a divorce case Case No. 155 of 2023 on 04.07.2023 before the competent Court of law and when the complainant has come to know about the divorce case in retaliation she has filed the present complaint petition only to harass the petitioner and thereafter she has filed a maintenance case on 23.01.2024 before the Principal Judge, Family Court, Gopalganj.

5. Pursuant to the vide order dated 16.04.2025, the matter was referred for mediation before the Mediation Centre for settling the dispute between the parties but the report of the learned Mediator dated 19.06.2025 reveals that the dispute between the parties could not be resolved through the process of mediation.

6. The learned Additional Public Prosecutor for the State as well as learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner in the complaint petition.



7. Considering the aforesaid facts, the petitioner has clean antecedent and complainant has filed the present complaint petition after the petitioner has filed a divorce case against the complainant and the mediation has failed between the parties 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 Judicial Magistrate-I, Gaya, in connection with Complaint Case No. 2332 of 2023, Tr. No. 3561 of 2024, 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. 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)

Jyoti Kumari/-

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