

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62839 of 2024

Arising Out of PS. Case No.-44 Year-2024 Thana- MAHILA P.S. District- Siwan

Ajit Kumar Bharti Son of Harendra Bharti R/O Village - Bhadaur Mathiya,
P.S.- Siswan, District - Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nilam Kumari Wife of Ajit Kumar Bharti D/o Sri Chandradev Giri, R/o vill.-
Satjora Mathiya, P.S.- Daraunda, Distt.- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey, Advocate
For the Informant : Mr. Yashraj Vardhan, Advocate
For the State : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-01-2025 Heard Mr. Ranjeet Kumar Pandey, learned counsel for

the petitioner, Mr. Yashraj Vardhan, learned counsel for the

Informant and Mr. Madan Kumar, learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Siwan Mahila P.S. Case No. 44 of 2024, F.I.R.
dated 21.05.2024 registered for the offences punishable under
Sections 341, 323, 498A/34 of the Indian Penal Code and Section
3/4 of the Dowry Prohibition Act.

3. Allegation against the petitioner is that he along
with other co-accused persons used to torture the informant for
non fulfillment of the demand of Alto car and A.C and lastly they
ousted the informant from her sasural after assaulting her and
snatching all her belongings.



4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case merely on the ground that the petitioner is the husband of the informant. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. In fact, the parents of the informant has not sent the informant in her matrimonial house despite of best efforts of the petitioner then the petitioner has filed the Divorce Case bearing Divorce Case No. 16 of 2024 on 09.01.2024 and after notice the informant appeared in the aforesaid divorce case and thereafter in retaliation she filed the present F.I.R. on 21.05.2024 only to harass the petitioner.

5. Learned APP for the State as well as learned counsel for the Informant, on the other hand, opposed the prayer for anticipatory bail of the petitioner .

6. Considering the facts and circumstances of the case, 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 S.D.J.M., Siwan in connection with Siwan Mahila P.S. Case No. 44 of 2024, 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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