

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60674 of 2025

Arising Out of PS. Case No.-385 Year-2024 Thana- MANJHAGARH District- Gopalganj

Ramesh Mahto S/O Bira Mahto R/O Vill.- Puraina, P.S.- Manjhagadh, Dist.-
Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Antu Kumari @ Antu Devi W/O Ramesh Mahto, D/O Dinesh Prasad R/O Vill.- Mathurapur, P.S.- Madhopur, Dist.- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devashish Giri, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-09-2025 Heard Mr. Devashish Giri, learned counsel for the

petitioner and Mr. Surendra Prasad Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Manjhagarh P.S. Case No. 385 of 2024, F.I.R. dated 27.12.2024 for the offences punishable under Sections 126(1), 115(2), 351(2), 352, 352, 85, 3(5) of the Bhartiya Nyay Sanhita, 2023 and ³/₄ of the Dowry Prohibition Act.

3. As per the First Information Report, the informant alleged that her daughter was subjected to torture by the petitioner and other co-accused persons due to non-fulfillment of 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 he is the husband of the daughter of the informant. From bare perusal of the FIR it appears that there is no specific allegation against the petitioner rather the allegation levelled against all the accused persons including the petitioner is general and omnibus. He further submits that the learned trial Court tried to pacify the matter and both the parties appeared in the learned trial Court. The petitioner was ready to take his wife to her matrimonial home with full honour and dignity but the victim was not ready to live with the petitioner.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 Chief Judicial Magistrate, Gopalganj in connection with Manjhagarh P.S. Case No. 385 of 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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