

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68871 of 2024

Arising Out of PS. Case No.-216 Year-2023 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Rakesh Kumar Pal Son of Satya Narayan Prasad Resident of Village - Chakki,
P.S. - Baratpur, District - Buxar (Bihar). At Present Resident of Village - Badi
Gaon, P.S. - Krishnanagar, District- Lucknow (U.P)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manisha Wife of Rakesh Kumar Pal Resident of Village - Badi Gaon, P.S. -
Krishnanagar, District- Lucknow (U.P). At present residing with her parents
- D/O. - Ambedkar Pal, Resident of Village - Anugrah Nagar Sinha College
Road, Near Sinha College Hostel, P.S. - Aurangabad Town, District -
Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-01-2025 Heard Ms. Mukul Kumari, learned counsel for the
petitioner and Mr. Bhanu Pratap Singh, learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 216 of 2023, dated
23.02.2023 registered for the offences punishable under Sections
323, 504, 498(A) of the Indian Penal Code and Section 3/4 of the
Dowry Prohibition Act.

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

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has been falsely implicated in the present case.

5. Vide order dated 18.10.2024, notice was issued to the Opposite Party No. 2 (complainant) but despite valid service of notice, no one appears on behalf of Opposite Party No. 2

6. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and the allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offence as alleged in the complaint petition.

7. Learned APP for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

8. 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 Chief Judicial Magistrate, Aurangabad in connection with Complaint Case No. 216 of 2023, 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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