

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67678 of 2024

Arising Out of PS. Case No.-90 Year-2023 Thana- SACHIVALAYA District- Patna

Lokesh Kumar Son of Ramji Hansda, Resident of Village- Kajiya Jor, PS-
Barhat, District- Jamui.

... .. Petitioner

Versus

1. The State of Bihar.
2. Manju Tudoo Wife of Lokesh Kumar, D/O-Sitaram Tudoo Resident of
Village- Kajiya Jor, P.S.- Barhat, Distt.- Jamui, D/O- Sitaram Tudoo,
Resident of Village- Chinguliya Tola Basmatta, P.S.- Belhar, Distt.- Banka.
Present Address Office Staff Bihar vidhan Sabha Sachiwalaya, Patna-15

... .. Opposite Party

Appearance:

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-01-2025 Heard Mr. Bijay Bhushan Prasad, the learned
counsel for the petitioner, the learned counsel appearing on
behalf of the complainant and Mr. Madhura Nand Jha, the
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Sachiwalaya PS Case No. 90 of 2023, FIR
dated 25.05.2023, registered for the offences punishable under
Sections 420, 494, 498(A), 354(C), 506 and 504 of the Indian
Penal Code.

3. According to the prosecution case, the petitioner
managed to get joint photographs with the informant and on that
basis started blackmailing her to marry him. It is further alleged



that petitioner brought the informant to Deoghar, took her signature over blank paper and later disclosed her that they have been married. It is further alleged that informant later came to know that petitioner is already married and she left the petitioner, however, petitioner is repeatedly calling her and threatening her with dire consequences.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that the family members of the informant, who are brother-in-law and sister of the informant have introduced the victim with the petitioner and they are neighbour of the petitioner and they have all the knowledge about the petitioner and despite that, they have arranged the marriage of informant with the petitioner. He further submits that in fact, the first wife of the petitioner has left the house of the petitioner and she has not filed any complaint or FIR as yet.

5. The learned counsel for the complainant as well as the learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the



petitioner and submits that first wife of the petitioner has filed a petition in the Mahila Police Station.

6. Considering the aforesaid facts and circumstances and mainly the facts that petitioner has clean antecedent and the nature of allegation levelled in the FIR, let the petitioner, above-named, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory 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 1st Class, Patna, where the case is pending in connection with **Sachiwalaya PS Case No. 90 of 2023**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the BNSS, 2023 and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(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 learned trial Court 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 learned trial Court 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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