

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69249 of 2024

Arising Out of PS. Case No.-123 Year-2024 Thana- BABUBARHI District- Madhubani

Amit Raj S/O Avinash Kumar Niraj Resident of village- Majirabad, P.S-
Goraul, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rinku Kumari W/O Amit Raj, D/O Shiv Narayan Singh R/O Vill- Balanser,
P.S- Babubarhi, Dist.- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan No. II, Advocate Ms. Kumari Seema Singh, Advocate Ms. Anjana Gupta, Advocate Ms. Priyanka Kumari, Advocate
For the State	:	Mr. Kanhiya Kishor, APP
For the Informant	:	Mr. Arun Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-01-2025 Heard Mr. Rajeev Ranjan-II, learned counsel for the

petitioner; Mr. Kanhiya Kishor learned Additional Public

Prosecutor for the State and Mr. Arun Bharti, learned counsel

for the informant.

2. The petitioner is apprehending her arrest in
connection with Babubarhi P.S. Case No.123 of 2024, F.I.R.
dated 24.03.2024, for the offences punishable under Sections
323, 341, 498(A), 34 of the I.P.C and under Section 3/ 4 D.P.
Act.

3. According to prosecution case, after marriage the
petitioner and his family members started demanding dowry and
due to non-fulfillment of the demand she was tortured and made
to starve.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation, as alleged 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 petitioner is ready to keep the informant as his wife with full dignity and honor and she is not ready to come in the house of the petitioner, then the petitioner has no other option and he has filed a Matrimonial Case no.56 of 2024 under Section 9 of the Hindu marriage Act which is still pending in the Court of Principal Judge, Family Court, Vaishali at Hajipur.

5. The learned counsel for the informant appears and submits that now she is ready to live with the petitioner.

6. Considering the aforesaid facts and circumstances and nature of allegation, 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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-VI, Madhubani, in connection with Babubarhi, P.S. Case no. 123 of 2024, subject



to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023and 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 tamper 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 have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds 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)

Harshita/-

U		T	
---	--	---	--

