

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69414 of 2024

Arising Out of PS. Case No.-569 Year-2023 Thana- COMPLAINT CASE District- Supaul

Anand Kumar @ Anant Sada @ Anant Kumar S/o Hareram Sada R/o Muhalla
- Hatwariya (Ward no. 10), P.S. - Pipra, Distt. - Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Kumari W/o Anand Kumar @ Anant Sada @ Anant Kumar, D/o Omi Sada R/o vill - Ithari Panchayat - Hardi West (ward no.14), P.S.- Supaul, Distt. - Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Jha, Advocate
For the State	:	Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-01-2025 Heard Mr. Arun Kumar Jha, learned counsel for the petitioners and Mr. Vinod Shanker Modi learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 569(C) of 2023, for the offences punishable under Sections 323, 341, 498A of the I.P.C.

3. According to prosecution case, allegation against the petitioner and other co-accused persons is of committing torture upon the victim due to non-fulfillment of the demand of dowry.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and falsely been implicated in



the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. The petitioner has made accused in the present case merely on the ground that the petitioner is the husband of the complainant.

5. Vide order dated 23.10.2024, notice was issued to the Opposite Party no.2 but despite the valid service of notice no one appears on behalf of O.P no.2.

6. The learned Additional Public Prosecutor, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

7. 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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Supaul, in connection with Complaint. Case No 596(C) 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:-



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 has concealed his 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)

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