

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71067 of 2024

Arising Out of PS. Case No.-116 Year-2024 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

=====

Murari Patel Son of Om Prakash Patel R/O Village- Sahdewa (Sahdeva), P.S.-
Raxaul, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gitanjali Kumari Wife of Murari Patel, D/O Yogendra Prasad Kurmi
Resident of village- Sahdewa, P.S.- Raxaul, District- East Champaran.
Naihar Resident of village- Jagarnathpur, Ward No-03, Bijbaniya, P.S.-
Parepur, District- Parsa, Nepal Presently Resident of Village- Ranighat, P.S.
Birganj, District- Parsa, Nepal.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-04-2025 Heard Mr. Ajay Kumar, learned counsel for the

petitioner as well as Mr. Jitendra Kumar Singh, learned

Additional Public Prosecutor for the State and learned counsel

for the informant and.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. C-116 of 2024, F.I.R.
dated 18.03.2024 for the offences punishable under Sections
341, 323, 354-B, 498-A and 34 of the Indian Penal Code but the
learned Court below took cognizance under Section 498-A of
the Indian Penal Code.

3. According to prosecution case, the complainant

was married with the petitioner on 10.02.2022 and after the marriage, all the accused persons started demanding a four-wheeler and on non-fulfillment assaulted and tortured the complainant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the Complaint Petition. He further submits that in the learned Court below both the parties had appeared before the Additional Sessions Judge-V, East Champaran, Motihari and the Court has performed the counseling process but the O.P. No. 2 refused to go to her in-laws' house despite of that the petitioner is ready to keep the O.P. No. 2 with full honour and dignity.

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

6. Considering the aforesaid facts that the petitioner has clean antecedent and the O.P. No. 2 refused to go with the petitioner, 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 Sub-Divisional Judicial Magistrate, Raxaul, Motihari in connection with Complaint Case No. C-116 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 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 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 bonds in terms of the above-mentioned order

shall not be delayed for purpose of or in the name of
verification.

Jyoti Kumari/- **(Rajesh Kumar Verma, J.)**

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