

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73246 of 2024

Arising Out of PS. Case No.-410 Year-2023 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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1. Chandani Kumari Wife of Dharam Veer Paswan Resident of Village - Barara, Police Station - Noorsarai, District - Nalanda
 2. Chhotu Kumar Son of Anil Paswan Resident of Village - Agwanpur, Police Station - Barh, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dharamveer Kumar Son of Late Lalan Paswan Resident of Barara, P.S.- Noorsarai, Distt.- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate
For the Opposite Party/s : Mr. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 09-04-2025 Heard Mr. Ashok Kumar Kashyap, learned counsel

for the petitioners as well as Mr. Matloob Rab, learned

Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Complaint Case No. 410(C) of 2023 for the offences punishable under Sections 406, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, complainant's marriage was solemnized with petitioner no. 1 but petitioner no. 1 fell in love with petitioner no. 2. When complainant filed the case the petitioners threatened the complainant for dire

consequences. It is further alleged that the accused persons came with weapons, abused them and fired upon the complainant after that they fled away from the place of occurrence.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the complainant is false and fabricated and no such occurrence has taken place. The complainant is the husband of the petitioner no. 1 and apart from that the petitioner no. 1 has filed the case against the complainant under Section 498(A) and other relied Sections of the Indian Penal Code, so the complainant has falsely implicated the petitioners in this case.

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

6. Considering the aforesaid facts that the petitioners have clean antecedent. No injury was found on the person of the complainant apart from that the petitioner no. 1 has filed the case against the complainant, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Nalanda at Biharsarif in connection Complaint Case No. 410(C) of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.)

Jyoti Kumari/-

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