

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73044 of 2024

Arising Out of PS. Case No.-292 Year-2022 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Suraj Kumar Son of Rambalak Ram R/o Mohalla- Prabhu Thakur Marg ward
no 4, Ambedkar Chowk Rosera, PS- Rosera, Distt- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Kumari Wife of Suraj Kumar D/o Late Ramvilash Ram, R/o Mohalla-
Prabhu Thakur Marg Ward no. 4, Ambedkar chowk Rosera, Ps- Rosera, dist-
Samastipur At Present Resident of Mohalla- DMCH Campus, Ps-
Laheriasarai, Dist- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Jha, Advocate
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-01-2025 Heard Mr.Sanjeev Kumar Jha, learned counsel for

the petitioner, learned counsel for the complainant and Mr.Dr.

Kumar Uday Pratap, learned Additional Public Prosecutor for

the State.

2. The petitioner is apprehending his arrest in
connection with Darbhanga Complaint Case No.292 of 2022,
registered for the offences punishable under Section 498A of
IPC.

3. Allegation against the petitioner and other co-
accused persons is of committing torture upon the victim due to
non-fulfillment of demand of dowry.



4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offence as alleged in the complaint petition. In fact the marriage with the complainant was solemnised in the year 2017 and till the date of present complaint, no any complaint has been made by the complainant against the petitioner. It appears from the complaint petition that there is two allegation in the complaint petition, first, they have demanded the dowry and second, the petitioner has performed the second marriage but the from a bare perusal of the complaint petition as well as S.A. of the complainant that she has not stated anywhere in the complaint petition or in her S.A. on which date the petitioner had performed the marriage and with whom he has performed the marriage.

5. Learned counsel for the complainant and learned A.P.P. for the State have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and petitioner has clean antecedent, let the petitioner, above named, in the event of his 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 learned J.M.-1st Class, Darbhanga in connection with Darbhanga Complaint Case No.292 of 2022, 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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.

(Rajesh Kumar Verma, J)

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