

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72971 of 2024

Arising Out of PS. Case No.-155 Year-2021 Thana- GAYA COMPLAINT CASE District-
Gaya

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Ram Pravesh Ravidas Son of Mahendra Ravidas Resident of village -Jharaha,
PS- Gurua, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kanchan Kumari Wife of Ram Pravesh Ravidas Resident of Mohalla-
Gugharitand, PS- Vishnupad, District- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 09-04-2025 Heard Mr. Sanjay Kumar Sharma, learned counsel for the

petitioner as well as Mr. Rajesh Kumar, learned Additional

Public Prosecutor for the State.

2. Despite of valid service upon the Opposition Party No.
2, no one has appeared on behalf of the Opposition Party No. 2.

3. The petitioner is apprehending his arrest in connection
with Complaint Case No. 155 of 2021, for the offences
punishable under Sections 323, 504, 506, 498(A) and 34 of the
Indian Penal Code and Sections 3 and 4 of the Dowry
Prohibition Act, cognizance has been taken under Sections 341,
323 and 498(A) of the Indian Penal Code.

4. The prosecution case in short as per the complaint

case, the complaint is the legally wedded wife of the petitioner and their marriage took place on 23.04.2015 according to Hindu rites and customs and after the marriage the complainant went to her matrimonial place and lived there for 3-4 days. Thereafter, again joined her matrimonial place and where she was subjected with cruelty, mentally and physically, and the petitioner used to assault the complainant having sozzled with wine. It is further alleged that Rs. 1,00,000/- (One Lac) was demanded from the complainant and finally the complainant was ousted from her matrimonial place and she is taking shelter at her parents' house since last six months before filing of this case. It is further alleged that the complainant has made several efforts to join her matrimonial house. It is further alleged that on 26.01.2021 at 2.00 PM the petitioner came to parents' house of the complainant and assaulted her (complainant) in presence of her parents.

5. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in this 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 F.I.R. and he has been made accused merely on the ground that he is the husband

of the complainant/informant.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner, however, despite of valid service no one has appeared on behalf of the complainant/informant to oppose the bail prayer of the petitioner.

7. Considering the aforesaid facts that the petitioner has clean antecedent, 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 Judicial Magistrate, Ist Class, Gaya in connection with Complaint Case No. 155 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the 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 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.

(Rajesh Kumar Verma, J.)

Jyoti Kumari/-

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