

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73120 of 2024

Arising Out of PS. Case No.-781 Year-2024 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Sudhir Thakur S/O Ram Akbal Thakur Resident of Village- Panditpur, P.S-
Piprakothi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pratima Devi D/O Kanhaiya Thakur R/O Village- Pakariya, P.S- Harsidhi,
Dist.- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar, Advocate
For the Opposite Party/s	:	Mr.Satya Nand Shukla, APP
For the informant	:	Mr. Kundan Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-01-2025 Heard Mr.Abhishek Kumar, learned counsel for the

petitioner, Mr. Kundan Kumar, learned counsel for the

complainant and Mr.Satya Nand Shukla, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Trial No.3320 of 2024 arising out of Complaint
Case No.781 of 2024, registered for the offences punishable
under Sections 323,498(A) and 504 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 and he has been made accused in the present case merely on the ground that the petitioner is husband of the complainant. Further submits that in fact the marriage of the petitioner was solemnized with the complainant in the year 2009 itself and till the filing of the present complaint petition, no any complaint has been made by the complainant against the petitioner.

5. Vide order dated 23.10.224 the matter was referred for mediation before the Patna High Court, Mediation Centre for amicable settlement between the parties. Report of the learned Mediator dated 26.11.2024 reveals that inspite of best and sincere efforts, the dispute between the parties could not be resolved.

6. Learned counsel for the complainant and learned A.P.P. for the State have vehemently opposed the prayer for bail of the petitioner and on instruction he fairly submits that the complainant is not ready to live with the petitioner.

7. In the aforesaid background, 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, Motihari, East Champaran in connection with Trial No.3320 of 2024 arising out of Complaint Case No.781 of 2024, 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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