

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75610 of 2024

Arising Out of PS. Case No.-1170 Year-2023 Thana- MUNGER COMPLAINT CASE
District- Munger

=====

Pushkar Kumar Son of Late Sufal Paswan R/O Sakrogarh Gas Godown, P.S.-
Jirwabari, Town and District- Sahebganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ritu Kumari Wife of Sri Pushkar Kumar, D/O Sri Ram Kumar Resident of
Lal Darwaza, Geeta Babu Road, P.S.- Kotwali, Town and District- Munger-
811201

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Maruth Nath Roy, Advocate
For the Opposite Party/s : Ms.Nirmala Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-04-2025 Despite of valid service of notice upon opposite party

No.2, no one appears on behalf of opposite party No.2.

2. Heard Mr.Maruth Nath Roy, learned counsel for
the petitioner Ms.Nirmala Kumari, learned Additional Public
Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Complaint Case No.1170C/2023, dated
08.11.2023 in which cognizance has been taken under Sections
323,498A,504/34 of IPC and Section 4 of Dowry Prohibition
Act.

4. Petitioner is the husband of the informant and there
are specific allegations of demand of Rs.Five Lakhs as dowry



and on account of non-fulfillment of the same petitioner used to assault and torture her.

5. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. 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 petitioner has filed a Divorce Suit No.183/2023 before the court of learned Principal Judge, Family Court, Sahebganj on 11.07.2023 and when the complainant came to know about the aforesaid case, she, in retaliation, has filed the present complaint petition on 08.11.2023 and the allegation as alleged in the complaint petition is false and fabricated and despite of valid service of notice upon opposite party No.2, no one appears on behalf of opposite party No.2.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts, nature of allegation as alleged in the complaint petition and as a matter of fact that the complaint petition has been filed after the petitioner has filed the divorce case against opposite party No.2, 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 C.J.M., Munger in connection with Complaint Case No.1170C/2023, 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)

Nitesh/-

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

