

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75106 of 2024

Arising Out of PS. Case No.-2097 Year-2023 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

=====

Rajesh Kumar @ Rajesh Ray Son Of Siyalal Rai Resident Of Village-
Nauachak, Ward No- 6, P.O.- Bhagawatpur, P.S.- Sarairanjan, District-
Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Renu Devi Wife of Rajesh Kumar @ Rajesh Ray, Daughter of Late Raj Narayan Ray Resident of village Nauachak, Ward No. 6, P.O.- Bhagwatpur, P.S.- Sarairanjan, District- Samastipur, At present Resident of village Chaksikandar, Ward No. 04, P.O. Madhopur Digharua, P.S. . Tajpur, District- Samastipur

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Surya Narayan Roy, Advocate
For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 22-03-2025 Heard Mr.Surya Narayan Roy, learned counsel for the

petitioner, learned counsel for the complainant and

Mr.Humayou Ahmad Khan, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with C.R. Case No.2097 of 2023 (Complaint Case
No.2097/2023), registered for the offences punishable under
Section 498A of the Indian Penal Code.

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 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 was solemnized with the complainant in the year 2005 and between 2005-2023 the complainant has not filed any complaint against the petitioner.

5. Vide order dated 29.01.2025, the matter was referred to the Patna High Court Mediation Centre for resolving the dispute between the parties. Report of the learned Mediator dated 05.03.2025 reveals that despite of best efforts the dispute between the parties could not be resolved through the process of mediation.

6. Learned counsel for the complainant and learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner has performed the second marriage during pendency of the present proceeding.

7. Considering the aforesaid facts, 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 S.D.J.M., Samastipur in connection with C.R. Case No.2097 of 2023 (Complaint Case No.2097/2023), 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	
---	--	---	--

