

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77161 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- KUDRA District- Kaimur (Bhabua)

Chhotu Yadav S/o Dashi Yadav @ Dasai Yadav R/o vill - Ojhawaliya, P.S. -
Kudra, Distt. - Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State Of Bihar
2. Shikha Kumari W/o Chhotu Yadav R/o vill - Ojhawaliya, P.s. - Kudra, Distt.
- Kaimur at Bhabua

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajani Kant Pandey, Advocate
For the Opposite Party/s	:	Mr. Kanhiya Kishor, APP
For the Informant	:	Mr. Pawan Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 07-05-2025 Heard Mr. Rajani Kant Pandey, learned counsel for the petitioner, Mr. Pawan Kumar Singh, learned counsel for the Informant and Mr. Kanhiya Kishor, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kudra P.S. Case No. 19 of 2024, F.I.R. dated 12.01.2024 for the offences punishable under Section 498A/323/34 of the Indian Penal Code and ³/₄ of the D.P. Act.

3. As per the First Information Report, the informant alleged that the petitioner along with other accused persons used to torture the informant 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 FIR is false and fabricated. He further submits that the infact the informant is not ready to live with the petitioner.

5. Learned counsel for the petitioner on instruction submits that the petitioner is ready to pay Rs.3000(Rupees Three Thousand) per month to the Informant as a maintenance amount.

6. Learned counsel for the Informant submits that he has no objection if the petitioner is ready to pay Rs.3000(Rupees Three Thousand) per month to the Informant.

7. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances, 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 A.C.J.M, Mohania, Kaimur, Bhabua in connection with Kudra



P.S. Case No. 19 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall deposit Rs.3,000 (Rupees Three Thousand) per month in the bank account of the informant which is mentioned as:-Account No:-2696001700089020, IFSC Code:-PUNB0269600, Branch Name:-Rampur and if the petitioner fails to deposit the aforesaid amount to the informant, the informant shall be at liberty to move before the appropriate forum for cancellation of bail bond of the petitioner.

ii. 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.

iii. 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.

iv. 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 bond 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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