

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78194 of 2024

Arising Out of PS. Case No.-400 Year-2023 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Bablu Mandal Son of Late Deo Narayan Mandal R/O-Village- Parteli, PS-
Moffasil, District -Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aruna Devi D/O- Bablu Mandal R/O- Village- Parteli, P.S.- Muffasil, Distt.-
Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 17-04-2025 Heard Mr.Praveen Kumar, learned counsel for the

petitioner, learned counsel for the complainant and Mr.Rajendra

Nath Jha, learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No.400/2023 in which
cognizance has been taken under Sections 498A, 323 of IPC.

3. The prosecution case as stated in complaint petition
is that all the accused persons including the petitioner subjected
the complainant Aruna Devi to cruelty and torture due to non-
fulfillment of dowry demand of Rs.1,00,000/- and ultimately
she was driven out from her matrimonial home by the accused
persons. It has also been stated by complainant that her



husband/petitioner solemnized his second marriage with one Sheela Devi.

4. 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 never demanded any dowry amount from the complainant or her family members. It is a fact that the mother of the petitioner has constructed the house under the Indraa Awas Yojna and complainant is living in the said house and it transpired from the S.A. of the complainant which was recorded in the present complaint petition that she stated that she is living in the house of the petitioner and she has admitted that the said Indra Awas was in the name of her mother-in-law and apart from that, learned counsel for the petitioner submits that the present complaint petition has been filed only to harass the petitioner.

5. Learned counsel for the complainant and learned A.P.P. for the State have vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and the complainant is living in the house of the petitioner which was in the name of the mother of the petitioner,



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, Katihar in connection with Complaint Case No.400/2023, 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)

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