

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86920 of 2024

Arising Out of PS. Case No.-257 Year-2019 Thana- COMPLAINT CASE District- Sheohar

Rama Rajak S/o Nathu Rajak R/o vill - Ambedkar Nagar, ward no. 12, Dhobi Ghat, Sikandarpur O.P., P.s. - Muzaffarpur (Town), Distt.- Muzaffarpur (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nilam Devi W/o Rama Rajak, D/o Baidyanath Baitha At present Residing at Vill - Belwa, P.s .- Piprahi, Distt.- Sheohar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate
For the Opposite Party/s : Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 07-07-2025 Heard Mr.Uday Kumar, learned counsel for the petitioner, learned counsel for the complainant and Mr.Madan Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. C1-257 of 2019, registered for the offences punishable under Sections 494,498(A) and 34 of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

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. 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. Learned counsel for the petitioner further submits that in compliance of order dated 19.04.2025 the petitioner went to the paternal house of opposite party No.2 to bring her at his house on 15.06.2025 but she refused to come with the petitioner.

5. Despite of repeated calls, no one appears on behalf of opposite party No.2.

6. Considering the aforesaid facts, petitioner is ready to keep the opposite party No.2 as his wife with full dignity and honour but she had not come with the petitioner pursuant to the direction of this Court, 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 Sub Divisional Judicial Magistrate, Sheohar in connection with Complaint Case No. C1-257 of 2019, 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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