

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.68250 of 2018

Arising Out of PS. Case No.-479 Year-2018 Thana- KANKARBAG District- Patna

Vidya Nandan Sinha Son of Raghunandan Prasad Sinha permanently residing at Nandan Niwas Bungalow, Mohalla- Ramdhanpur, Gaya, Dist.- Gaya, State- Bihar, PIN- 8233001 and presently residing at Flat No. A/204, Building no.- 03 type, Bhagirathi, Co-operative housing Society Ltd., Tirupati Nagar, Phase- 02, Virar West Dist.- Palghar- 401303 Maharashtra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pradeep Kumar Verma
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary
For the informant : Mr. Pankaj Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 19-09-2019 Heard learned Counsel for the petitioner, learned Counsel for the informant and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Kankarbagh Police Station Case No. 479 of 2018, disclosing offences under Sections 498-A/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act, 1961.

The allegation against the petitioner, as per the First Information Report, is that the marriage of the informant was



solemnized with the petitioner in the year 2017. It has been alleged that after sometime, the petitioner along with other accused persons started demanding a sum of Rs. 12,00,000/- and one car as dowry from the informant and her parents and due to non-fulfillment of the said demand, the informant was being tortured, mentally and physically.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case based upon a concocted story inasmuch as the petitioner has filed a divorce petition before the Civil Judge (SD), Vasai, Palghar, being Marriage Petition No. 164 of 2018, and after receipt of the notice, the present case has been filed. He also submits that the mental illness of the informant was concealed from the petitioner at the time of marriage by the informant and her family members. He further submits that without prejudice to his right and contention, the petitioner is ready to pay a sum of Rs. 10,000/- to the informant as her living expenses, subject to the final outcome of the matrimonial case filed by the parties.

The offer made by learned Counsel for the petitioner has been accepted by learned Counsel for the informant, subject to the right and contention of the informant.

Having regard to the above, let the petitioner, Vidya



Nandan Sinha, in the event of his arrest or surrender before the Court below within four weeks, 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 Judicial Magistrate, 1st Class, Patna, in connection with Kankarbagh Police Station Case No. 479 of 2018, subject to the conditions (i) laid down under Section 438 (2) of the Code of Criminal Procedure, (ii) that a sum of Rs. 10,000/- per month shall be deposited by the petitioner, subject to the outcome of the order passed in matrimonial case filed by the parties, if any, in the bank account of the father of the informant, Suresh Prasad Srivastava (A/c No. 520101239090728, IFSC Code CORP0000323, Exhibition Road Branch, Corporation Bank), starting from 1st October, 2019, and (iii) the petitioner, at the time of surrender, shall attach the proof of payment of a sum of Rs. 10,000/- for the month of October, 2019, along with his surrender -cum- bail application.

It is made clear that a sum of Rs. 10,000/- must be deposited in the above bank account by the petitioner by 7th of each month.

It is also made clear that if the petitioner deviates from the terms and conditions of this order, the informant shall



be at liberty to move appropriate application before appropriate
forum in accordance with law.

This application is allowed with the observations, as
above.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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