

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7139 of 2020**

Arising Out of PS. Case No.-53 Year-2018 Thana- MAHILA P.S. District- Saharsa

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DHANANJAY KUMAR Son of Radheshyam Prasad Yadav, Resident of  
Village- Borba, P.S.- Salkhua, Distt- Saharsa (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitu Kumari W/o Dhananjay Kumar, C/o Durga Kant Jha, resident of  
vilage-Santnagar, Ward No. 35, PS- Sadar, District-Saharsa.

... .. Opposite Party/s

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**Appearance :**

|                            |   |                                                       |
|----------------------------|---|-------------------------------------------------------|
| For the Petitioner/s       | : | Mr.Dinesh Prasad Verma<br>Mr. Brajesh Verma           |
| For the Opposite Party/s : |   | Asha Devi<br>Dr. Ms. Meeta Mohini<br>Mr. Deepak Kumar |

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

7      08-02-2022                      Heard the learned counsel for the petitioner as well as  
  
the learned counsel for the informant through video  
  
conferencing.

The petitioner apprehends his arrest in connection with  
  
Saharsa Mahila P.S. Case No. 53 of 2018 registered for offence  
  
punishable under sections 498(A), 323, 504, 379/34 of the  
  
Indian Penal Code.

The learned counsel for the petitioner has submitted  
  
that vide order dated 17.01.2022, it has been mentioned that the  
  
learned counsel for the informant has submitted that the  
  
petitioner has concealed the criminal antecedent of Kumarkhand



P.S. Case No. 13 of 2020, but this case is subsequent to the filing of this anticipatory bail petition and it was the reason that he has not mentioned in paragraph no. 3 of the bail petition.

The informant Nitu Kumari is wife of the present petitioner Dhananjay Kumar. As per allegation, when she was sleeping with her daughter, the present petitioner entered into her house with some unknown persons with arms. He assaulted her and he also took away some valuable papers and cash. As per allegation, his brother Chitnandan Yadav and his wife Anupama Devi were also assisting him. Anupama Devi snatched golden chain from her neck.

The learned counsel for the informant has submitted that the informant has already lodged a case in the year 2016 for infliction of torture due to non-fulfillment of demand of dowry.

The learned counsel for the petitioner has submitted that prior to filing of the present case, the petitioner has lodged Saharsa P.S. Case No. 831 of 2018. The copy of FIR of that case is Annexure-2. The petitioner has lodged that case against the informant with allegation that the informant and her brother assaulted the petitioner and the injury report has also been annexed, which shows that three injuries were found on the person of the petitioner.



During the course of argument, it has been submitted by the learned counsel for the informant that she is on the verge of starvation and she has no means to meet the expenses of education of her daughter, to which the learned counsel for the petitioner has submitted that if the bank account number is provided by the informant, the petitioner shall pay Rs.10,000/- per month in that account as maintenance.

It appears to be a case of prolonged matrimonial discord. The case and counter case have been filed.

Considering the above mentioned facts and circumstances, let the petitioner above named, in the event of his arrest or surrender, within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class, Saharsa in connection with Saharsa Mahila P.S. Case No. 53 of 2018, subject to condition as laid down under section 438(2) Cr. P.C. Further condition is that the petitioner shall obey his words.

**(Nawneet Kumar Pandey , J)**

Mahesh/-

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