

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37179 of 2022**

Arising Out of PS. Case No.-428 Year-2021 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

Avnish Kumar, Son of Braj Bhushan Singh, R/O Village- Rampur Parori, P.S.-
Punaura, District- Sitamarhi

... .. Petitioner

Versus

1. The State of Bihar.
2. Neha Kumari, D/O Ranjan Kumar Singh, R/O Village- Kharuana Jairam,
P.S.- Turki, District- Muzaffarpur

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Shantanu Kumar, APP
For the Complainant	:	Mr. Mayank Shekhar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 15-05-2023 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the complainant.

The petitioner in the present case is seeking pre-arrest bail in connection with Sitamarhi Complaint Case No. CI-428 of 2021 registered for the offences punishable under Section 498A of the Indian Penal Code. He has got no criminal antecedent.

As per the prosecution story, on 30.06.2019, the complainant was married to this petitioner and at the time of marriage, the father of the complainant had given Rs.7,00,000/- cash and other gifts to her in-laws' as per their demand. After some time, the family of the petitioner started torturing the complainant for non-fulfillment of the demand of four-wheeler vehicle. On 26.08.2019, she was taken back to her paternal



house after being continuously tortured by her in-laws. On 11.04.2020, she gave birth to a female child. The family of the petitioner had been continuously demanding Rs.10,00,000/- and four-wheeler vehicle due to which they had ousted her from her matrimonial house.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case.

Learned counsel for the petitioner and learned counsel for the complainant have jointly submitted that the informant is living with the petitioner with full dignity and care.

Learned APP for the State has not opposed the anticipatory bail of the petitioner.

Having regard to the submissions on behalf of the parties that the petitioner and the informant are living together, there being no objection to the grant of pre-arrest bail to the petitioner, this Court directs release of the petitioner above named on bail in the event of his arrest or surrender within a period of four weeks from today in connection with Sitamarhi Complaint Case No. CI-428 of 2021 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial



Magistrate 1st Class, Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition that he will live with Opposite Party No. 2 treating her with full dignity and care.

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 bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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