

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37809 of 2023**

Arising Out of PS. Case No.-1419 Year-2022 Thana- BEGUSARAI COMPLAINT CASE  
District- Begusarai

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Krishna Kumar, S/O Jagdish Sah, R/O Village- Station Road Teghra, P.S.  
Teghra, Dist. Begusarai

... .. Petitioner

Versus

1. The State of Bihar
2. Kumari Punam Bharti, D/O Naresh Sah, R/O- Station Road Teghra, PS.-  
Teghra, Dist. Begusarai, At present R/O Village- Baghi, Ward No. 25, P.S.  
Lohiya Nagar O.P. (Town), Dist. Begusarai

... .. Opposite Parties

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**Appearance :**

|                     |   |                                   |
|---------------------|---|-----------------------------------|
| For the Petitioner  | : | Mr. Ajay Kumar Sinha, Advocate    |
| For the State       | : | Mr. Akhileshwar Dayal, APP        |
| For the Complainant | : | Mr. Randhir Kumar No. 1, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      19-08-2023                      Heard learned counsel for the petitioner and learned  
counsel for the complainant as also learned APP for the State.

2. The petitioner in the present case is seeking pre-arrest  
bail in connection with Complaint Case No. 1419 of 2022 in  
which cognizance has been taken under Section 498(A) of the  
Indian Penal Code. The petitioner has no criminal antecedent.

3. As per the prosecution story, on 30.06.2020 the  
complainant was married to the petitioner whereafter the petitioner  
started demanding Rs.10,00,000/- for starting a business. On  
31.07.2022 the FIR named accused persons along with this  
petitioner came at the *maika* of the complainant and assaulted her  
and her father.

4. At the outset, learned counsel for the complainant



submits that in the given circumstance where she has been subjected to cruelty by her husband, she feels threatened and it would not be possible for her to stay with the petitioner. She has also got one child from the wedlock.

5. Learned counsel for the complainant further submits that the complainant and her son are being neglected as the petitioner is not even paying the minimum subsistence allowance to the complainant and her son.

6. Learned counsel for the petitioner has at this stage submitted that to show his bonafides, the petitioner is ready to pay a sum of Rs.4,000/- per month for the present subject to result of an appropriate proceeding, if any, in connection with the maintenance of the complainant and her son and such amount shall be deposited every month in her bank account within first ten days.

7. Learned counsel for the complainant has, in such circumstance, no objection to grant of pre-arrest bail to the petitioner.

8. Having regard to the facts and circumstances of the case and the stand taken on behalf of the parties, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner shall be released on bail in connection with Complaint Case No. 1419 of 2022 on furnishing bail bond of



Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class, Begusarai, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. 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.

10. And further condition that in terms of his own offer, he will pay a sum of Rs.4,000/- per month during first ten days of every month in the bank account of the complainant subject to order of any competent court in an appropriate proceeding. Breach of this condition shall invite action towards cancellation of bail bond of the petitioner.

11. This application stands disposed of accordingly.

**(Rajeev Ranjan Prasad, J)**

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