

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39668 of 2022

Arising Out of PS. Case No.-801 Year-2020 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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PREM PRAKASH KUMAR @ PINTU KUMAR Son of Baleshwar Prasad
Yadav Resident of village - Mohanbiga, Pakribarawan, P.S.- Pakribarawan,
District - Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina Kumari Wife of Prem Prakash Kumar @ Pintu Kumar Resident of
Village - Mohanbiga, Pakribarawan, P.S.- Pakribarawan, District - Nawada,
At present D/O Nawal Kishore Yadav, Resident of village - Jogachak, P.S.-
Kawakole, District - Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vibhuti Ranjan Sonvadra, Advocate
For the Opposite Party/s	:	Mr. Pranav Kumar, APP
For the Informant	:	Mr. Sheo Kumar Prasad, Advocate

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 20-02-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case
registered for the offences punishable u/s 323 and 498A of the
Indian Penal Code.

As per the prosecution case, the marriage of the
complainant was solemnized with the petitioner as per Hindu



rites and custom. After the marriage the petitioner and the co-accused person started demanding Rs. 2 lakhs and a motorcycle as dowry but the complainant showed his inability to fulfill the said demand then the accused persons brutally assaulted and abused the complainant and lastly they ousted the complainant from the matrimonial home after taking all ornaments.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner is the husband of the complainant and the case is also compromised in the learned Family Court, Nawadah. The petitioner has further submitted that Rs. 18 lakhs for one time settlement has been paid to the informant by the petitioner. Learned counsel for the informant has supported the compromise petition and fairly submitted that the complainant has taken Rs. 18 lakhs from the petitioner as one time settlement between the parties. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances as well as the allegation being general and omnibus, let the above named petitioner, in the event of his arrest/surrender



within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Nawada in connection with Complaint Case No. 801 of 2020, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with a condition:-

1. The court below shall verify the criminal antecedent of the petitioner and at any stage, if 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.

The application stands allowed.

(Chandra Prakash Singh, J)

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