

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42878 of 2023

Arising Out of PS. Case No.-316 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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NANDAN KRISHNAN S/o- SATYENDRA KRISHNAN Village- Ambari
Ps- Shekhopur Sarai Dist- Sheikhpura

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. ROSY KUMARI wife of Nandan Krishnan, D/o- Krishnanandan Singh Vil-
lage- Mokama Moldiar Tola Ps- Mokama Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-08-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 316 (C) of 2022 dated 01-06-2022 registered for the offence punishable under Sections 498 (A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. As per the complaint petition the marriage of the complainant / Opposite Party No. 2 was solemnized with the petitioner on 30-01-2020 according to Hindu rites and rituals and on 10th June, 2020 the husband (i.e. petitioner), mother-in-law and father-in-law of the complainant demanded her orna-



ments for the purposes of marriage of younger brother of the petitioner and on refusal all the accused persons assaulted her. Later on, in November, 2020 the petitioner asked her to bring rupees two lakhs from her father for starting Eastern Online Examination Centre at Gangtok and due to non fulfillment of the same the complainant was assaulted by her mother- in- law. Thereafter, on 26-03-2021 the petitioner asked her to abort her pregnancy which she refused due to which the petitioner assaulted her. As per the complaint petition the petitioner solemnized second marriage.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. He submits that the fact of the matter is that prior to her marriage with the petitioner, the complainant was married with one Roushan Kumar and suppressing this fact the complainant performed marriage with the petitioner. However, without prejudice to the right and contention of the petitioner and in order to maintain harmony in the family the petitioner is ready and willing to pay a sum of Rs. 5000/- per month to the Opposite Party No. 2 as living cost subject to final outcome of the present case as well as the matrimonial case pending between the parties.



5. Learned counsel for the complainant-Opposite Party No. 2 accepts the offer so made by learned counsel for the petitioner and submits that the petitioner may be directed to deposit the said amount of Rs. 5000/- per month in the bank account of the complainant / Opposite Party No. 2, details of which shall be furnished by learned counsel for the Opposite Party No. 2 to learned counsel for the petitioner within ten days from today.

6. After having heard learned counsel for the parties and taking into consideration the materials on record and the fact that the offer made by learned counsel for the petitioner has been accepted by learned counsel for the Opposite Party No. 2, as such, I am inclined to grant the petitioner the privilege of anticipatory bail.

7. Let the petitioner, above named, be released on anticipatory bail in the event of his arrest / surrender before the learned court below within a period of six weeks from today on furnishing bail bond of Rs. 10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Barh in connection with Complaint Case No. 316 (C) of 2022 subject to the condition as laid down under Section 438(2) of the Cr.P.C. as well as the following condition:-

(i) that the petitioner shall deposit a



sum of Rs. 5000/- per month in the bank
account of Opposite Party No. 2 positively by
the 7th day of every month starting from the
month of September, 2023.

(Anil Kumar Sinha, J)

praful/-

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