

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73030 of 2022

Arising Out of PS. Case No.-673 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

NIKHIL CHANDRA @ NIKHIL CHAND Son of Gajendra Prasad Thakur
R/V- Basant Vihar, Lalganj Road, Near Newalal Chowk, P.S- Lalganj, Dist-
Purnia

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nima Kumari Daughter of Bishwanath Thakur Resident of Mohalla-
Madhopara P.S- Sahayak (K. Hatt) Dist- Purnia

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Dr. Bidhu Ranjan
For the State	:	Mr. Md. Ataur Rahman
For the O.P. No.2	:	Mr. Bijendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 21-08-2023 Heard learned counsel for the petitioner, learned A.P.P. for
the State and learned counsel for the opposite party no.2.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Section 498A of the Indian
Penal Code.

3. The petitioner in association of his family members is
said to have ousted the opposite party no.2 from her
matrimonial home on non-fulfillment of demand of dowry.
Other allegations have also been made.

4. It is submitted by learned counsel for the petitioner that
no such occurrence as alleged ever took place. He has been



falsely implicated in this case. It is further submitted that the petitioner is ready to keep opposite party no.2 with full respect and dignity but he has been subjected to cruelty by the opposite party no.2 since right from the date of marriage. It is further submitted that opposite party no.2 is working in Tata Motors since last 5 to 6 years as a Data Operator and left the house of the petitioner at her own sweet will. It is also submitted that the opposite party no.2 has also filed a Matrimonial Case No.42/22 before the Principal Judge, Family Court, Purnia under Section 13 of the Hindu Marriage Act for dissolution of marriage and prayed for decree of divorce, earlier to the case under hand. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel for the opposite party no.2 opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case as also the fact that opposite party no.2 has filed a Matrimonial Case No.42/22 before the Principal Judge under Section 13 of the Hindu Marriage Act for dissolution of marriage, earlier to the case under hand, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Court below where the case is pending/successor Court in connection with Complaint Case No. 673 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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