

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16593 of 2023

Arising Out of PS. Case No.-49 Year-2022 Thana- COMPLAINT CASE District- Banka

PRINCE KUMAR Son of Ajit Kumar R/V- Champatri, P.S- Belhar, Dist- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rupa Kumari Daughter of Anik paswan, W/o Prince Kumar R/V- Champatri, P.S- Belhar, Dist- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate
For the Opposite Party/s : Ms. Shaheen Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 14-03-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498A, 323, 504 and 506 of the Indian Penal Code as well as Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that in compliance of the order dated 15.02.2024 a supplementary affidavit has been filed on behalf of the petitioner on 13.03.2024. The said supplementary affidavit is not on record but then learned counsel for the petitioner supplied office copy of the supplementary affidavit wherein it has been pleaded that the deponent has come to know that opposite party no. 2 has



fled away with someone and is living in illicit relationship with him and has lost interest in the present case. Learned counsel further submits that though the name of the person with whom the opposite party no. 2 has fled away is not known but then it is a fact that opposite party no. 2 does not intend to revive the conjugal relationship as such despite receiving notice validly chooses not to appear. It is next submitted that petitioner is always willing to keep the opposite party no. 2 with full honour and dignity.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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. C49 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, the opposite party no. 2 shall be at liberty



to file an application seeking cancellation of the anticipatory bail granted to the petitioner in the event if the anticipatory bail has been obtained by the petitioner based on misleading facts.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

