

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21027 of 2024

Arising Out of PS. Case No.-1605 Year-2015 Thana- PATNA COMPLAINT CASE District-
Patna

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Nand Kishore Singh @ Nand Kishore Yadav Son Of Late Ramdev Singh
Resident Of Flat No.401, Mohalla - Lalji Tola, Police Station - Kadamkuan,
District - Patna

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Awadhesh Prasad Singh @ Awadhesh Prasad Singh Yadav Son Of Late Sakaldeep Rai Resident Of Village - Khapura, P.O. - Kalyanpur, P.S. - Pipra, District - Patna. At Present C/52, Road No.6 Punaichak, Arajpatrit Quarter, P.S. - Shashtrinagar, District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ashish Giri, Advocate
	:	Ms.Riya Giri, Advocate
	:	Mr. Sumit Jha, Advocate
For the Opposite Party/s	:	Ms.Veena Kumari Jaiswal, APP
For the Informant	:	Mr. Krishna Prasad Singh, Sr.Advocate
	:	Mr. Saket Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2024 Heard Mr.Ashish Giri, learned counsel for the

petitioner, Mr. Krishna Prasad Singh, learned senior counsel

appearing for the complainant and Ms.Veena Kumari Jaiswal,

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No.1605(2)/2015 registered for
the offences punishable under Sections 406,420,120B & 34 of
the Indian Penal Code and Section 3/4 of Dowry Prohibition
Act.



3. As per the prosecution story in nutshell is that the negotiation of marriage between Amrita (daughter of complainant) and Rituraj (son of petitioner) taken place and subsequently matter was settled and they got engaged. The complainant alleged that after the engagement ceremony the accused demanded a car and motor-cycle and to fulfil such demand the complainant paid sum of Rs. 13 lakhs at the residence of accused. The parties then fixed the date of marriage between Amrita and Rituraj on 29.04.2015. Complainant made arrangement for the marriage and distributed the invitation cards, but after then days the petitioner demanded further Rs. 50 lakhs and two bigha land and when the complainant refused to pay the said amount the marriage did not take place. He further alleged that the accused persons neither performed the marriage nor returned the money.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the complaint petition is false and fabricated and the petitioner has never received any amount from the complainant and he has never demanded any dowry amount from the complainant and complainant has not produced any evidence in the complaint



petition that he has paid the amount in question to the petitioner and his family members.

5. Learned senior counsel for the complainant and learned A.P.P. for the State, on other other hand, have vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Complaint Case No.1605(2)/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) 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/her 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.

(Rajesh Kumar Verma, J)

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