

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31984 of 2024

Arising Out of PS. Case No.-721 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Nanhak Rai Son of Sri Gopal Rai Resident of Village- Kedalpura, Police
Station- Akilpur, District- Patna, At present District- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raj Kumari Devi Wife of Sri Nanhak Rai Resident of Village- Kedalpura,
Police Station- Akilpur, District- Patna and Daughter of Sri Aditya Rai,
Resident of Village - Daudpur, Police Station- Shahpur, District- Patna. At
present Village- Harsham Chak, Police Station- Akilpur, District- Patna, At
present District- Saran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunit Kumar Srivastava
For the Opposite Party/s : Mr.Arvind Kumar Pandey (App.84)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 26-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner, husband of the opposite party no. 2,
apprehends his arrest in a complaint case punishable for the
offence under Sections 323, 341, 379, 384, 386, 387, 406, 420,
498A, 504, 506, 120(B), 34 of the Indian Penal Code and
Section 3 & 4 of the Dowry Prohibition Act.

3. The case of the complainant, in brief, is that her
marriage was solemnized with Sri Prem Rai 16 years ago at
Patna. She further alleged that 11 years ago, suddenly her first



husband Prem Rai disappeared and never met the complainant. Thereafter, the complainant solemnized marriage with this petitioner on 21.05.2019 at Patna. After few days of 2nd marriage, the petitioner took the complainant to Punjab, where he abused, assaulted and wrongfully confined the complainant and also snatched her daily earning.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. As a matter of fact, the complainant wants to live with her first husband and her first husband is also ready to keep her. In this regard, a joint agreement was made between the parties and duly signed by complainant, her first husband and this petitioner in presence of witnesses (Annexure P/3). Petitioner claims clean antecedent.

5. Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of eight weeks from today, let this petitioner, as named above, be enlarged on bail on furnishing bail bond of **Rs.10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Danapur (Patna) in connection with Complaint Case No. 721(C) of 2020, subject to the conditions, as laid down under Section 438(2) of the Code of Criminal



Procedure.

(Prabhat Kumar Singh, J)

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