

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59513 of 2024

Arising Out of PS. Case No.-437 Year-2020 Thana- LAHERIMUHALLA District- Nalanda

Chandan Kunal @ Chandan Kumar Son of Jeevan Prasad Branwal R/O
Mohalla- Kharadi, P.s.- Laheri, Dist.- Nalanda

... .. Petitioner/s

Versus

1. The State Of Bihar Patna
2. Priyanka Kumari @ Soni D/O Late Prabhu Lal R/O Vill.- Jay Mahavir Colony, Road No. 7, Sandalpur, P.s.- Bahadurpur, Dist.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hansraj

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-08-2024 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 376, 354,
313, 498A, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant. It is next submitted that the informant alleges that she
was married to the petitioner and after marriage, the accused
person, including the petitioner, started torturing her for dowry.
It is further alleged that mother-in-law of the informant abetted
her rape by her husband, i.e. father-in-law of the OP No. 2, and



the brother-in-law used to act inappropriately with her, further Golu another brother-in-law intended to establish physical relation on promise of marriage. It is next submitted that the informant has implicated the entire family members of the petitioner with a view to coerce the petitioner into submission. It is also submitted that the petitioner had filed Divorce Case No. 120 of 2020, in the court of learned Principal Judge, Family Court, Nalanda and the learned Family Court granted degree of divorce to the petitioner.

4. It is further submitted that a specific pleading has been made at para-7 of the anticipatory bail application that after the degree of divorce, the OP No. 2 married one Chandan Kumar Barnwal at Gaya. It is next submitted that since OP No. 2 intended to marry Chandan, as such she implicated the entire family members, including the petitioner.

5. The learned APP opposes the prayer for anticipatory bail of the petitioner and submits that though a pleading at para-7 has been made, that OP no. 2 married Chandan Kumar Barna at Gaya, but still no documentary evidence has been annexed to substantiate the same.

6. 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Laheri P.S. Case No. 437 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, OP No. 2 shall be at liberty to file an application seeking cancellation of anticipatory bail granted to the petitioner in the event if she is not married Chandan Kumar Barnwal.

(Satyavrat Verma, J)

SUMIT/-

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

