

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63719 of 2024

Arising Out of PS. Case No.-187 Year-2023 Thana- NALANDA COMPLAINT CASE
District- Nalanda

=====

Anand Kumar Son of Khoshi Chand Ravi R/V- Chakway, P.S.- Warasaliganj,
District - Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Archana Rani Daughter of Girani Kumar W/O Anand Kumar, R/V- Gajipur,
P.S.- Giryak, District - Nalanda. At Present - Pawapuri Musahari Tola (Near
Aradhya Showroom Street), P.S.- Pawapuri, District - Nalanda

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate
For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 223-09-2024
1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of the
complainant/opposite party no. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498(A) of the
Indian Penal Code as well as Section 4 of the Dowry Prohibition
Act.

3. Learned counsel for the petitioner submits that
petitioner was abducted and thereafter he was forcefully married to
the sister of the opposite party no. 2. It is further submitted that
after the petitioner came back from his matrimonial home, he filed
a case in the Court of learned Principal Judge, Family Court,
Nalanda at Bihar Sharif for declaring the marriage as void. It is



next submitted that petitioner was in relationship with the sister of the opposite party no. 2 and he had gone to meet her when he was forcefully married against his wish with the opposite party no. 2 who is differently abled. It is fairly submitted that till date the marriage has not been declared null and void, as such, the opposite party no. 2 shall be considered his legally wedded wife. It is further submitted that petitioner is willing to pay a monthly maintenance of Rs.5,000/- to the opposite party no. 2 till Case No. 414 of 2022 is not decided by the learned Principal Judge, Family Court, Nalanda, Bihar Sharif.

4. Learned counsel appearing on behalf of the opposite party no. 2 submits that since petitioner is willing to pay a monthly maintenance, as such, for the present, the opposite party no. 2 is not opposing the anticipatory bail application. It is further submitted that the bank account number of the opposite party no. 2 shall be WhatsApped on the WhatsApp number of the learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the petitioner undertakes to communicate the same to the petitioner so that the monthly maintenance as agreed commences from 01.10.2024.

5. Learned A.P.P. for the State is present.

6. Considering the submissions made by the learned counsel for the petitioner, let 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. 187(C) of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the opposite party no. 2 shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner, if the petitioner does not deposit the amount of maintenance as agreed for two consecutive months.

8. It is further made clear that the maintenance will stop the moment Case No. 414 of 2022 is decided by the learned Principal Judge, Family Court, Nalanda at Bihar Sharif or a Court of competent jurisdiction fixes the maintenance, whichever is earlier.

(Satyavrat Verma, J)

Kundan/-

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

