

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72833 of 2023

Arising Out of PS. Case No.-65 Year-2021 Thana- MAHILA P.S. District- Nalanda

NAWIN KUMAR @ NAWIN KUMAR SINGH @ SUNNY S/o
CHANDRAMOULI SINGH R/o vill - Masaurhi, Sati Sthan, P.S. - Masaurhi,
Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. VANDANA KUMARI D/o Pravin Kumar @ Girish Singh R/o vill - Patel Nagar, Harnaut, P.S. - Harnaut, Distt. - Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Rakesh Kumar, Advocate
For the State	:	Mrs. Sharda Kumari, APP
For the O.P. No.2	:	Mr. Harsh Kaushal, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State assisted by learned counsel for the opposite party no.2.

2. The petitioner apprehends his arrest in Mahila P.S. Case No. 65 of 2021 registered for the offences punishable under Sections 498A, 341, 323, 354 and 504 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act pending in the Court of learned S.D.J.M., Nalanda (Biharsharif).

3. Petitioner, who is husband of opposite party no.2, is said to have tortured and assaulted the opposite party no.2 on non-fulfillment of demand of dowry and lastly ousted her from the matrimonial home.



4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel for the opposite party no.2 vehemently opposing the bail petition submitted that the petitioner has not come before this court with clean hands. Learned counsel for the opposite party no.2 further submitted that petitioner has suppressed about his criminal antecedents. Although the petitioner bears three criminal antecedents but in para-3 of this application he has mentioned that he has no criminal antecedent and on this ground alone, he does not deserve anticipatory bail.

6. Considering the facts and circumstances of case as well as the fact that the petitioner has suppressed about his criminal antecedent, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would



pass order in accordance with law without being prejudiced by
this order.

(Anjani Kumar Sharan, J)

Trivedi/-

U			
---	--	--	--

