

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73721 of 2022

Arising Out of PS. Case No.-45 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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NANDAN KUMAR Son of Late Brijnandan Singh R/V- Purainiya, P.O and
P.S- Kinjer Dist- Arwal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Asha Devi Wife of Nandan Kumar, D/o Vinod Sharma Presently residing at
Raghopur, P.S - Bihta, Dist- Patna R/V- Purainiya, P.O and P.S- Kinjer Dist-
Arwal

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

8 18-07-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the opposite party no. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323, 498A
and 506 of the Indian Penal Code as well as Section 4 of the
Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case being
the husband of the opposite party no. 2. It is further submitted
that petitioner made all his endeavours to revive his conjugal
relationship but then opposite party no. 2 is not willing to stay
with the petitioner for reasons best known. It is next submitted



that petitioner had also installed CCTV cameras for his safety so that he does not get implicated in a false case subsequently. It is also submitted that petitioner is aware of his responsibility and may be with passage of time and on intervention of well-wishers, the parties may resolve their dispute. It is further submitted that petitioner is willing to pay a monthly maintenance of Rs.5,000/- to the opposite party no. 2.

4. Learned counsel appearing on behalf of the opposite party no. 2 also submits that he has instruction not to oppose the prayer for anticipatory bail of the petitioner if petitioner is ready to pay a monthly maintenance. It is further submitted that may be with passage of time, the parties will resolve the dispute as such no useful purpose would be served by sending the petitioner to jail. It is next submitted that he will WhatsApp the bank account number of the opposite party no. 2 on the WhatsApp number of the learned counsel appearing on behalf of the petitioner and the learned counsel on behalf of the petitioner undertakes to communicate the same to the petitioner so that the monthly maintenance as agreed commences from 01.08.2024.

5. 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 Court below 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 court below where the case is pending/successor court in connection with Complaint Case No. 45(C) of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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

(Satyavrat Verma, J)

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