

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5752 of 2024

Arising Out of PS. Case No.-18 Year-2023 Thana- MAHILA PS District- Jehanabad

Prashant Kaundilya @ Prashant Kaudilya Son of Pankaj Sharma Resident of
Mohalla- South Daulatpur, Police Station- Jehanabad, District- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Samprada Daughter of Shailendra Sharma Resident of Mohalla-
Near Usha Marriage Hall, Jehanabad Post Office- Jehanabad, Police Station-
Jehanabad, District- Jehanabad, Pin Code-804408, Mobile No.
99733330221.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Devendra Kumar, Adv. Mr. Vijay Kumar, Adv.
For the Opposite Party/s	:	Mr. Jitendra Kumar Sagar, APP Mr. Mukul Prakash, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

7 09-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Jehanabad (Mahila) P.S. Case No. 18 of 2023 dated 27.06.2023,
instituted for the offence punishable under Sections 341, 323,
312, 506, 498(A)/34 of the Indian Penal Code and Section 3/4 of
the Dowry Prohibition Act.

3. As per the prosecution case, the petitioner along
with other accused persons is alleged to have tortured the
informant mentally and physically due to non-fulfillment of
demand of dowry.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that the petitioner is ready to keep the informant with full dignity and honour. It is submitted that the sister of the petitioner namely Shikha Priyadarshini is suffering from chronic kidney disease and her treatment is going on in PGIMER, Chandigarh. It is submitted that a supplementary affidavit has also been filed annexing the medical prescription as well as documents. It is submitted that the sister of the petitioner is still in treatment at PGIMER, Chandigarh for her kidney transplant and her kidney has not been replaced as yet because she is waiting for any kidney donor. It is submitted that neither the petitioner nor his family members demanded any dowry from the informant and her family members nor assaulted or tortured the informant for any reason. It is further submitted the allegation with regard to second marriage of the petitioner is totally false and concocted. The petitioner has neither solemnized marriage with Anjali Singh Rajput nor any other women. It is submitted that wife of the petitioner is still living in the house of the petitioner at Jehanabad. It is also submitted that the informant has also filed a Partition Suit No. 118 of 2023 before the Sub-Judge-I, Jehanabad which is against



the father of the petitioner, grandfather and her husband (petitioner). It is submitted that it has wrongly been alleged that the petitioner is having extra marital affair with Anjali Singh Rajput. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Learned counsel for the informant has vehemently opposed the prayer for anticipatory bail of the petitioner. It is submitted that the petitioner has filed Divorce Matrimonial Case No. 77 of 2023 before the Principal Judge, Family Court, Jehanabad on 22.06.2023 which is also pending for adjudication.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Jehanabad (Mahila) P.S. Case No. 18 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Jehanabad, subject to condition as laid down under Section 438(2) of the Cr.P.C. and also subject to the



payment of Rs. 8,000/- per month in the first week of every month as living cost and maintenance in the account of Opposite Party No. 2.

(Khatim Reza, J)

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