

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69642 of 2018

Arising Out of PS. Case No.-196 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Raj Kumar @ Shiv Raj Kumar @ Shiv Raj, son of Mishri Lal
2. Raju Kumar, son of Mishri Lal
3. Mishri Lal, son of Late Govind Chaudhary, residents of Mohalla-
Malsalami, Bihari Mill Ke Piche, P.S Malsalami, Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Pushpanjali Veram @ Pushpanjali Kumari, wife of Raj Kumar @ Shiv Raj
Kumar @ Shiv Raj, daughter of Subodh Kumar Jaiswal, resident of Mohalla-
Malsalami, Bihari Mills, P.S Malsalami, Patna, at present resident of Pahari
Par, P.S. Bypass, Patna

... .. Opposite Party/s

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Appearance :

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

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 17-12-2018 Heard learned counsel for the parties.

This application for anticipatory bail arises out of a

Complaint Case No. 196 of 2018, disclosing offences under

Sections 420, 465, 471 and 120B of the Indian Penal Code.

Petitioner no.1 is the husband of the complaint, who is

opposite party no.2 in the present application. Petitioner no.2 is

the brother of petitioner no.1, whereas petitioner no.3 is the

father of petitioner nos. 1 and 2.

It is alleged in the complaint petition by the wife of

petitioner no.1 that for the purpose of seeking anticipatory bail



while filing an application before this Court, the petitioner no.1 had relied on a document i.e. an agreement for dissolution of marriage between petitioner no.1 and opposite party no.2. the said agreement, according to the complainant, is forged and fabricated.

Learned counsel, appearing on behalf of the complainant, vehemently opposed the prayer for bail of the petitioners and has submitted that since the petitioners have attempted to mislead this Court, they should not be granted the privilege of anticipatory bail.

On perusal of the material on record as well as the complaint petition, I find that it is fundamentally a matrimonial dispute between petitioner no.1 and opposite party no.2 that such cases are being instituted.

Without commenting further upon the complaint petition, I am of the opinion that a case for grant of anticipatory bail is made out. Accordingly, the application is allowed. Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned Sub-Judge 4th-cum-ACJM, Patna



City in Complaint Case No. 196 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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