

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85122 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- MAHILA P.S. District- Sitamarhi

SHANTI BHUSHAN PRASAD Son of Sri Satya Narayan Sah Resident of
Village- Dilawarpur, P.S.- Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Soni Kumari Wife of Shanti Bhushan Prasad Resident of Village- Dilwarpur,
P.S.- Bahadurpur, District- Darbhanga. At present resident of
Mohammadpur, P.S.- Baaspard, District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 29-01-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Sitamadhi Mahila P.S. Case No. 23 of 2019 for the offence
punishable under Sections 341, 498A, 504 and 506 of the Indian
Penal Code.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has not committed any offence. In fact, the petitioner happens to
be husband and being aggrieved by the act of the informant, he
filed a Matrimonial (Divorce) Case No. 87 of 2014, which is
evident from Annexure-2. Further the petitioner has also filed an
Informatory petition for cruelty and misbehavior of the



informant stating that the informant is threatening that she will implicate him in a false case, which is evident from Annexure-3. It is further submitted that the parties have entered into an agreement for dissolution of marriage between them for which Rs. 5 Lakh by way of cheque, has been given to the informant by the petitioner and now nothing remains between them for which the petitioner be prosecuted in the case in which amicable settlement has already been done. Hence, the petitioner may be granted the privilege of anticipatory bail.

Learned counsel appearing for the O.P. No.2 has opposed the prayer for bail and submitted that the informant is ready to live with the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner in the event of his arrest or surrender before the court below within a period of four weeks be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sitamarhi in connection with Sitamarhi Mahila P.S. Case No. 23 of 2019 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Arvind Srivastava, J)

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