

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69844 of 2021

Arising Out of PS. Case No.-42 Year-2021 Thana- SHAHKUND District- Bhagalpur

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VIVEKANAND KUMAR @ VIVEKANAND PASWAN, Son of Sita Ram
Paswan, Resident of Village- Bhudharni, P.S.- Shahkund, District- Bhagalpur.

... .. Petitioner

Versus

1. The State of Bihar.
2. Kumkum Kumari, Daughter of Tutu Paswan, Resident of Village- Malda,
Post- Chhathar, P.S.- Shambhuganj, District- Banka.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Ajay Kumar Jha, Advocate
For the Opposite Party	:	Mr. Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 25-04-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

This application for anticipatory bail arises out of
Shakhund P.S. Case No. 42 of 2021 registered for the offences
under Sections 341/323/498-A/494/504/511/506/34 of the
Indian Penal Code.

Despite service of notice, the opposite party no.2
has not appeared though the case was earlier adjourned awaiting
her appearance.

Learned counsel for the petitioner submits that the



petitioner is not married to opposite party no.2 and this case has been filed against him because of malafide reasons.

Considering the aforesaid facts and also the law laid down by the Apex Court in the case of *Arnesh Kumar vs. State of Bihar* reported in (2014) 8 SCC 273, this anticipatory bail application is allowed.

Let the petitioner, above named, in the event of his arrest/surrender within four weeks from today in the Court below, 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 A.C.J.M.-II, Bhagalpur, in connection with Shahkund P.S. Case No. 42 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sandeep Kumar, J)

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