

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7865 of 2024

Arising Out of PS. Case No.-3392 Year-2012 Thana- COMPLAINT CASE District- Araria

Mantu Paswan, S/O Ganesh Paswan R/O Village- Indranagar, Ward No.-09,
P.S- Jogbani, Distt.- Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Bajenti Devi, W/O Mantu Paswan, D/O Late Gonar Paswan R/O Village-
Adarha-Madarganj, P.S- Simraha, Distt.- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 02-05-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 498(A) of the Indian Penal Code.

3. From perusal of the office report dated 24.04.2024,
it manifests that the same records that ordinary notice has been
received by the sister in-law of the opposite party no.2.

4. Since the sister in-law of the opposite party no.2
has received the notice, as such, the notice is deemed to have
been validly served.

5. The learned counsel for the petitioner submits that



petitioner, being husband, has been falsely implicated in the instant case. It is further submitted that a specific pleading made at Para-12 of the anticipatory bail application that the opposite party no.2 has performed her second marriage without seeking divorce from the petitioner and is residing at Uttar Pradesh. It is next submitted that this perhaps explains why the opposite party no.2 chooses not to appear and contest.

6. Learned A.P.P. opposes the anticipatory bail application.

7. 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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Araria in connection with Complaint Case No.3392C of 2012, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

9. However, it is made clear that the opposite party no.2 shall be at liberty to file an application seeking cancellation



of anticipatory bail granted of the petitioner, in the event, if she
has not performed her second marriage.

(Satyavrat Verma, J)

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