

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12045 of 2024

Arising Out of PS. Case No.-7 Year-2023 Thana- MAHILA P.S. District- Muzaffarpur

Md. Masoom S/O MD. MUSTAFA R/O VILLAGE- KISHUNPUR
BALAUR, PS.- KUDHANI, DIST.- MUZAFFARPUR.

... .. Petitioner/s

Versus

1. The State of Bihar
2. JEBA PRAVEEN D/O MD. TABREJ ALAM R/O VILLAGE-
BISHUNPUR GIDHA POST SUSTA, PS.- MANIYARI, DIST.-
MUZAFFARPUR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-07-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 342,
323, 504, 506, 498A and 34 of the Indian Penal Code and
Sections 3 and 4 of the D.P. Act.

3. Learned counsel for the petitioner submits that
despite notices being validly served, the OP No. 2 chooses not
to appear, which amply demonstrates that she is not interested in
reviving her conjugal relationship, when petitioner is willing to
keep the OP No. 2 with honour and dignity. It is also submitted
that the moment the OP No. 2 decides that she intends to revive



her conjugal relationship, the petitioner will go and fetch her back to her matrimonial home. It is submitted that petitioner has even filed an application seeking restitution of conjugal rights, which is pending adjudication in the court of learned Principal Judge, Muzaffarpur. It is also submitted that OP No. 2 is in habit of instituting cases and this is the second complaint instituted by her.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahila P.S. Case No. 7 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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