

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16274 of 2024

Arising Out of PS. Case No.-72 Year-2023 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Keshav Kumar @ Keshav Kumar Thakur Son of Late Surendra Thakur
Resident of Village- Baheri Ward No. 08, P.S.- Baheri, District- Darbhanga
... .. Petitioner/s

Versus

1. The State of Bihar
2. Janki Kumari Wife of Keshav Kumar @ Keshav Kumar Thakur, Daughter of
Bhola Jha Presently resident of Village- Fulhara, P.S.- Singhia, Dist.-
Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 5 22-08-2024 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 323, 504 and 498A of the
Indian Penal Code.
3. Learned counsel for the petitioner submits that
petitioner, being husband, has been falsely implicated in the instant
case by the opposite party no. 2. It is further submitted that despite
receiving notice validly, the opposite party no. 2 chooses not to
appear and contest the case which amply demonstrates that the
instant case was instituted only for the purposes of harassing the
petitioner. It is next submitted that a specific pleading has been made
at para 11 of the anticipatory bail application that opposite party no. 2



has performed her second marriage with Sonu Sharma, Son of Jitendra Sharma, Resident of Village Gaura, P.S. Biraul, District Darbhanga in the month of November, 2023 and that perhaps explains why the opposite party no. 2, despite receiving notice, chooses not to appear and contest the case.

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, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Complaint Case No. 72 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, the opposite party no. 2 shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner if she has not performed her second marriage.

(Satyavrat Verma, J)

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