

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22733 of 2024

Arising Out of PS. Case No.-843 Year-2014 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Vijay Kumar son of Shri Rajendra RAI R/o- Ritha Mandi W.No-40, Dehradun
Po Ps- Dehradun Dist- Dehradun

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitu Devi wife of Vijay Kumar, D/o- Shankar Rai R/o- Anadih Ps- Mahisi
Dist- Saharsa P/A- Doraghat Barahsher Po- Mudaiya Ps- Bihra Dist- Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 06-08-2024 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 offence punishable under Sections 498A, 323,
379, 406, 506 of the Indian Penal Code & Sections 3/4 of the D.P.
Act.
3. Learned counsel for the petitioner submits that
from perusal of the office report dated 02.08.2024, it would
manifest that the same records that O.P. No.2 is not traceable
and has gone somewhere else after selling her property.
4. The Court proposes to pass an order on merits of
the case.



5. The learned counsel for the petitioner submits that petitioner being husband has been falsely implicated in the instant case by the O.P. No.2. It is further submitted that the dispute in between the petitioner and the O.P. No.2 started, when the O.P. No.2 wanted to oust his parents from the house. It is also submitted that petitioner always tried to reason out that he has responsibility towards his parents but she was not willing to listen and thus after a fight she left Dehradun and came back to her parental home and from the office report it also manifests that she has lost interest in the petitioner, as such, sold her property and is not traceable. It is further submitted that he has instruction to make submission that in the event if the O.P. No.2 at any point of time, decides to reside with the petitioner, he will keep her with honour and dignity.

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 Court below 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 Complaint Case No.843©/2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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