

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25038 of 2024

Arising Out of PS. Case No.-500 Year-2023 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Amit Kumar Son of Bhola Singh Resident of Village- Mokar, Police Station-
Agrer, Dist.- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Durga Kumari Wife of Amit Kumar and Daughter of Mangru Singh Resident
of Village- Belarhi, Police Station - Sasaram (Darigaon), Dist.- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 29-08-2024 1. Heard learned counsel for the petitioner and Mr.
Rabindra Kumar learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498A and
323 of the Indian Penal Code.
3. Learned counsel appearing on behalf of the
petitioner submits that from perusal of the office report dated
23.08.2024, it would manifest that the notice on behalf of the
opposite party no. 2 has been received by her sister-in-law
(Nanad).
4. Since notice has been received by the sister-in-law
of the opposite party no. 2 as such the notice is deemed to have



been validly served.

5. Learned counsel for the petitioner further submits that petitioner being husband has been falsely implicated in the present case. It is next submitted that opposite party no. 2 despite receiving notice chooses not to appear and contest for the reason that she has already performed her second marriage with Munna Kumar Mehta, Son of Late Kariman Mehta, Resident of Village Jamhor, P.S. Jamhor, District Aurangabad as has been pleaded at para 12 of the anticipatory bail application.

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

7. 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.10,000/- (Rupees Ten 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. 500 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. 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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