

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39062 of 2023

Arising Out of PS. Case No.-565 Year-2022 Thana- ALOULI District- Khagaria

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SHANKAR PANDIT SON OF BANO PANDIT RESIDENT OF VILLAGE-
ALOULI, PS- ALOULI, DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

1. The State of Bihar
2. RADHA DEVI DAUGHTER OF BANARSI PANDIT RESIDENT OF
VILLAGE- ALOULI, PS- ALOULI, DISTRICT- KHAGARIA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh
For the Opposite Party/s : Mr. Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 21-02-2024 1. Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Alauli P.S. Case No.565/2022, registered for the offence
punishable under Sections 323, 341, 504, 307, 498(A) of the
Indian Penal Code & Section 3/4 of D.P. Act.

3. The learned counsel for the petitioner submits that
despite notices being validly served on the O.P. No.2, she
chooses not to appear and contest. It is next submitted that
petitioner being husband has been falsely implicated in the
present case. It is next submitted that the O.P. No.2 has already
performed her second marriage and thus she has not appeared in



the case to contest when her father had received the notice on her behalf for which a jointness application has been filed.

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 C.J.M., Khagaria in connection with Alauli P.S. Case No.565/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that the O.P. No.2 shall be at liberty to file an application before this Court seeking cancellation of the anticipatory bail granted to the petitioner in the event if he has not performed her second marriage.

(Satyavrat Verma, J)

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