

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44430 of 2024

Arising Out of PS. Case No.-151 Year-2023 Thana- JHAJHA District- Jamui

Simon Tudu Son of Late Lala Tudu Village- Bodwa Ps- Jhajha Dist- Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. Marry Hansda wife of Siman Tudu Village- Bodwa Ps- Jhajha Dist- Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Sinha, Advpcate
For the Opposite Party/s	:	Mr. Ram Bilash Roy Raman, APP
For the Informant	:	Mr. Ranjeet Patel, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Jhajha P.S. Case No. 151 of 2023 instituted under Section
498A of the Indian Penal Code.

3. As per the prosecution case, the informant was
married with the petitioner on 31.04.2012 and they were leading
happy conjugal life till 2020 and they have blessed with three
children. The petitioner is working in B.S.F. presently in Jammu
& Kashmir. The allegation against the petitioner is that he is not
providing any maintenance to the informant and he has illicit
relationship with some other girl.

4. Learned counsel for the petitioner submits that



petitioner is innocent and the informant has falsely made allegation against him. He further submits that the petitioner is always ready to keep his wife and children with full dignity and honour and presently the informant is living at the house of the petitioner. Learned counsel further submits that earlier the petitioner has taken the informant with him at Jammu & Kashmir but the informant herself did not reside there. The petitioner is maintaining his wife and children. He further submits that petitioner has no criminal antecedent and he undertakes to co-operate in the investigation and the trial.

5. Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail submitting that the petitioner is not paying any money to informant for her maintenance and the maintenance of her children. However, learned counsel for the informant submits that till date the informant has not filed any maintenance case against the petitioner in the Family Court.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount to each to the satisfaction of the learned Chief Judicial Magistrate, Jamui / Concerned Trial Court in connection with Jhajha P.S. Case No. 151 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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