

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40854 of 2023**

Arising Out of PS. Case No.-1040 Year-2017 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Suddu Paswan S/O Suranga Paswan R/O Village- Bahiyara Ps. Chandi, Dist. Bhojpur
(ARA)

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Pushpa Devi W/O Suddu Paswan, D/O Mohan Paswan R/O Village- Jawahar Tola,
P.O. Ara Nawada, Ps. Ara Nawada Dist. Bhojpur (ara)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar Pandey

For the Opposite Party/s : Mr. Akbar Ali

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

4 13-02-2024 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 498A,
380, 323, 504, 341 and 34 of the Indian Penal Code read with
Sections 3 and 4 of the DP Act.

3. The learned counsel for the petitioner submits that
from perusal of the order dated 31-1-2024 passed by a learned
Coordinate Bench, it would manifest that notices have been
validly served upon the OP No. 2. It is next submitted that OP
No. 2, despite receiving notice, chooses not to appear in the
case. It is further submitted that petitioner is the husband and
has been falsely implicated in the present case. It is further
submitted that OP No. 2 has already performed her second



marriage with one Chhotak Paswan and is blessed with a child and this perhaps explains why despite receiving notice, she chooses not to appear.

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. 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. 1040(c) of 2017 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, the OP No. 2 shall be at liberty to file an application seeking cancellation of the anticipatory bail, in the event, if the petitioner has obtained anticipatory bail by misleading the court.

(Satyavrat Verma, J)

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