

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41083 of 2024

Arising Out of PS. Case No.-10 Year-2019 Thana- MAHILA PS District- Buxar

Munna Yadav Son Of Lalbabu Singh Resident Of Village - Asodhan, P.S. - Jagdishpur, District - Bhojpur (ARA)

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Kavita Devi Wife Of Munna Yadav, Daughter Of Late Prem Kumar Singh Resident Of Village - Asodhan, P.S. - Jagdishpur, District - Bhojpur (ARA), Presently Residing At Village - Gangauli, Police Station - Murar, District - Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra
For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-10-2024 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 498(A), 313, 314, 323, 307 of the Indian Penal Code & Sections 3/4 D.P. Act.

3. Learned counsel for the petitioner submits that from perusal of the office report dated 30.09.2024, it would manifest that the same records that O.P. No.2 lives somewhere else and could not be traced. The learned counsel submits that even petitioner does not have her present or correct address nor he is aware where she is staying. It is further submitted that no



useful purpose would be served by directing for issuance of fresh notice, as the O.P. No.2 has already taken an amount of Rs.5 lacs from the petitioner in Matrimonial Case No.277/2015 as would manifest from Annexure-2 to the anticipatory bail application. It is submitted that petitioner and the O.P. No.2 had filed Matrimonial Case No.277/2015 in the Court of learned Principal Judge, Family Court, Bhojpur, Ara for seeking divorce by way of mutual consent and in the said matrimonial case, the O.P. No.2 accepted Rs.5 lacs by way of Demand Draft. It is also submitted that O.P. No.2 in Matrimonial Case No.277/2015 has stated that she will withdraw the instant criminal case by filing a compromise. It is next submitted that since O.P. No.2 now is not interested in pursuing the case after she received an amount of Rs.5 lacs as such she is not even staying at her address which was given in the complaint case.

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 Buxar (Mahila) P.S. Case No.10/2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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