

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51363 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- MAHILA P.S. District- Kaimur (Bhabua)

Abhishek Kumar Son Of Vishwanath Prasad Gupta Resident Of Village -
Nuaon, P.S. - Nuaon, District - Kaimur At Bhabua

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Pratibha Kumari Daughter Of Dinanath Sah Resident Of Village - Katra Kala, P.O. - Katra Kala, P.S. - Mohania, District - Kaimur At Bhabua, Pin Code - 821109

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parwej Khan
For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 26-10-2024 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 offences punishable under Sections 341, 323, 377, 498A and 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that from perusal of the office report dated 18-10-2024, it would manifest that ordinary notice has been personally received by the OP No. 2, but then no one appears on behalf of the OP No. 2 to contest the case.

4. Learned counsel for the petitioner submits that the



petitioner and the OP NO. 2 have sought divorce based on mutual consent for which they have filed Matrimonial Case No. 213 of 2024 in the court of learned Principal Judge, Family Court, Kaimur at Bhabhua. Learned counsel submits that the parties decided to separate mutually and this perhaps explains why the OP No. 2 despite receiving notice chooses not to appear. It is further submitted that even parties have compromised the case.

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

6. 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 trial court 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 Mahila P.S. Case No. 14 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the OP 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 the
anticipatory bail has been obtained by misleading the Court.

(Satyavrat Verma, J)

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