

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49037 of 2024

Arising Out of PS. Case No.-187 Year-2023 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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Kourav Kumar Son Of Late Sikandar Paswan R/O- Village- Etahri, P.S.-
Gogri, Distt.- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nibha Devi @ Khushbu Bharti D/O- Abdhesh Mandal R/O- Village- Awas
Board Khagaria, P.S.- Distt.- Khagaria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar
For the Opposite Party/s : Mr.Bhanu Pratap Singh
Mr. Ranjeet Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 23-09-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the OP No. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498A of the
Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
OP No. 2, being husband. It is next submitted that from perusal
of the address of the complainant in the complaint petition, it
would manifest that the said address is neither of her
matrimonial or parental home rather she has instituted the



instant complaint from a third place. It is also submitted that OP No. 2, before the learned trial court in her S.A, has specifically stated that she will not stay with the petitioner. It is next submitted that petitioner apprehends that OP No. 2 is leading an adulterous life as such she is not inclined to revive her conjugal relationship. It is next submitted that OP No. 2 before the learned trial court has also stated that her son is staying with her while two daughters are staying with the petitioner.

4. Learned counsel for the OP No. 2 rebuts the submission of the learned counsel appearing on behalf of the petitioner that she is leading an adulterous life but then submits that he has instruction to make submission that OP No. 2 is not willing to restitute her conjugal rights with the petitioner.

5. At this stage, learned counsel for the petitioner submits that petitioner is a labourer and earns on daily basis and is taking care of his children. It is also submitted that from perusal of the S.A. of the OP No. 2 before the learned trial court, it would manifest that she has stated that she earns through stitching and is staying on rent at Khagaria.

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 Complaint Case No. 187(C) of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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