

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48732 of 2022

Arising Out of PS. Case No.-1501 Year-2018 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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BHIM KAHAR Son of Late Firangi Kahar Resident of Village - Chotaka
Katara, P.s.- Mohania, Distt.- Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Meera Devi W/o Bhim Kahar, D/o Suresh Kahar, Resident of Village - Kala
Piya, P.s.- Chenari, Distt.- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 06-08-2024 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 Section 498A of the
Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and being husband has
been falsely implicated in the instant case. It is further submitted
that petitioner is still willing to keep the O.P. No. 2 with honour
and dignity, but then O.P. No. 2, for reasons best known, is not
willing to restitute her conjugal rights and that perhaps explains
why the O.P. No. 2 despite receiving notice validly chooses not to
appear and contest. The learned counsel next submits that
allegation of torture and demand of dowry is exaggerated. It is
next submitted that out of the wedlock, a child was also born who



presently is staying with the O.P. No. 2 and the O.P. No. 2 never allows the petitioner to meet the child. It is further submitted, based on instruction, that the petitioner assures that in the event if O.P. No. 2 chooses to revive her conjugal relationship, the petitioner will keep her with honour and dignity and will contest the case relating to the child in the event if she does not join the petitioner.

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 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. 1501 of 2018 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. **Accordingly, the instant anticipatory bail application stands allowed.**

(Satyavrat Verma, J)

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