

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56860 of 2023

Arising Out of PS. Case No.-195 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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MAHENDRA MANJHI @ MAHENDRA KUMAR SON OF LATE CHAITU
MANJHI RESIDENT OF VILLAGE- SUDHI BIGHA, PS- CHANDAUTI,
DISTT- GAYA

... .. Petitioner/s

Versus

1. The State of Bihar
2. SRIMATI SHOBHA DEVI @ SHOBHA KUMARI WIFE OF
MAHENDRA MANJHI @ MAHENDRA KUMAR DAUGHTER OF
BINDESHWARI MANJHI, RESIDENT OF VILLAGE- BIRNOI, PS-
ATRI, DISTT- GAYA
- 3 BINDESHWARI MANJHI

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 6 15-04-2024 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 Section 498(A) of
the Indian Penal Code.
3. Learned counsel for the petitioner submits that
from perusal of the office report dated 10.04.2024, it would
manifest that the opposite party no. 3, who is father of the
opposite party no. 2, has received the notice personally which
was sent in compliance of the order dated 13.02.2024 but then
on one appears on behalf of the opposite party no. 3 to contest



the case. Learned counsel further submits that the reason for adding the father of the opposite party no. 2 as opposite party no. 3 is Annexure-2 to the anticipatory bail application which is an affidavit of the father of the opposite party no. 2 dated 23.03.2022 wherein he has stated that his daughter was married to the petitioner on 21.02.2016 and at the time of marriage no dowry was given and her daughter after staying in her matrimonial home for 2-4 days came back to her parental home and when the petitioner came to the parental home of the opposite party no. 2 to bring her back when he was informed that the opposite party no. 2 had left for her matrimonial home and thereafter it is stated that a search was made and the opposite party no. 3 came to know that his daughter has fled away with one Shalo Singh, Son of Late K.D. Singh, resident of village Asriya, P.S. Atri, District Gaya. Learned counsel thus submits that since the opposite party no. 3 despite receiving notice chose not to appear that in itself amply demonstrates that what he has stated in the affidavit is correct.

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 court below where the case is pending/successor court in connection with Complaint Case No. 195 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that the opposite party no. 3 shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner if the affidavit (Ghoshna Patra) is a forged/fabricated document.

(Satyavrat Verma, J)

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