

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63284 of 2022

Arising Out of PS. Case No.-4 Year-2020 Thana- KARPI District- Jehanabad

SUJEET KUMAR Son of Ajay Yadav R/V- Madaila, P.S- Mehendiya, Dist-
Arwal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Monika Kumari Daughter of Munilal Yadav R/V- Chainpur, P.s- Karpi, Dist-
Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Ms.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 25-04-2024 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 offences punishable under Sections 498A,
504, 506 and 34 of the Indian Penal Code and Sections 3 and 4
of Dowry Prohibition Act.

3. The learned counsel for the petitioner submits that
from perusal of the office report dated 19-4-2024, it would
manifest that OP No. 2 has received the notice personally.

4. Since the notice has been received personally by
the OP No. 2 as such it is deemed to have been validly served.

5. Learned counsel for the petitioner next submits that



the petitioner being husband has been falsely implicated in the present case by the informant. It is next submitted that informant, despite receiving notice, chooses not to appear and contest that amply demonstrates that she is not interested in reviving her conjugal relationship. It is next submitted that petitioner was willing to reconstitute his conjugal rights and was even ready to keep the OP No. 2 with honour and dignity but came to know that OP No. 2 had performed her second marriage and the said fact has been brought on record in the supplementary affidavit filed on behalf of the petitioner (Annexure 2/1 to the supplementary affidavit). It is next submitted that since the OP No. 2 has performed her second marriage as such she, despite receiving notice, chooses not to appear and contest.

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

7. 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. 5,000/- (Rupees Five 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 Karpi P.S. Case No. 4 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the OP No. 2 shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner in the event if she has not performed her second marriage and the petitioner has obtained anticipatory bail by misleading this Court.

(Satyavrat Verma, J)

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