

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60740 of 2023

Arising Out of PS. Case No.-830 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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SHARWAN YADAV Son of Late Basudeo Yadav R/o vill - Rangpura South,
ward no. 6, P.S. - Mirganj, Distt. - Purnea (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Putul Devi Wife of Shravan Yadav R/o vill - Rangpura, P.S. - Mirganj, Distt.
- Purnea

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 15-02-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 323, 341, 498(A), 494, 406 and 307 of the Indian Penal
Code.

3. The learned counsel for the petitioner submits that
from perusal of the office report dated 12.02.2024, it would
manifest that the same records that opposite party no.2 refused
to accept the notice, as such, the notice was hung at the East
side of the house.

4. In view of the office report dated 12.02.2024, the



notice is deemed to have been validly served.

5. The learned counsel next submits that petitioner and opposite party no.2 are husband and wife and the dispute is matrimonial and it has been specifically stated at Para-16 of anticipatory bail application that the complainant lives in the residence of the petitioner along with her son.

6. The learned counsel further submits that opposite party no.2 is presently staying along with the children with the petitioner, but then, alleges that petitioner has performed his second marriage. It is further submitted that since petitioner has been falsely implicated in the present case, as such, the opposite party no.2, despite receiving notice, refused to accept the same. It is next submitted that the notice was also sent on the same address as given in the complaint case.

7. Learned A.P.P. opposes the bail application.

8. 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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Bhanu Pratap Singh, the learned Judicial



Magistrate, 1st Class, Purnea in connection with Complaint Case
No.830 of 2022, subject to the conditions laid down under
Section 438(2) of the Cr.P.C.

9. The application stands allowed.

(Satyavrat Verma, J)

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