

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 62374 of 2023**

Arising Out of PS. Case No.-3732 Year-2022 Thana- MUZFFARPUR COMPLAINT CASE  
District- Muzaffarpur

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RAKESH KUMAR S/O ASHOK KUMAR R/O VILLAGE- PIRAPUR  
CHAK, P.S- PIYAR, DISTT.- MUZAFFARPUR, AT PRESENT R/O  
VILLAGE- HARPUR CHAUK, P.S- PIYAR, DISTT.- MUZAFFARPUR.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. TARA KUMARI W/O RAKESH KUMAR R/O VILLAGE- HARPUR  
CHAUK, P.S- PIYAR, DISTT.- MUZAFFARPUR, AT PRESENT R/O  
PIRAPUR CHAK, P.S- PIYAR, DISTT.- MUZAFFARPUR.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rajiv Kumar, Advocate  
For the Opposite Party/s : Mr.Bishweshwar Ram, APP

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 4      29-02-2024      1.              Heard learned Counsel for the petitioner and  
learned APP for the State.
2.              This application, for grant of anticipatory bail,  
arises out of Complaint case no. 3732 of 2022, disclosing  
offences punishable under Sections 498(A), 323, 342, 505(C),  
354(B) of the Indian Penal Code and Section 66(A) of I.T.  
Act.
3.              The prosecution story, as per the complaint  
petition, is that the marriage of the complainant was  
solemnized with the petitioner on 23.11.2015 and from the  
wedlock, two children were born. It has been alleged that the



petitioner along with other accused persons assaulted and tortured the complainant, when she insisted for admission of the child in the School.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive. Learned Counsel further submits that from perusal of complaint, it appears that the complainant has also made one Kashinath Mahto as an accused, who allegedly performed marriage with the complainant on the gun point. He also submits that despite service of notice, no body as appeared on behalf of complainant/ opposite party no. 2.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1<sup>st</sup> class, (East) Muzaffarpur in connection with complaint case no. 3732 of 2022, subject to



the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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