

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67505 of 2023

Arising Out of PS. Case No.-91 Year-2015 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Jitendra Das @ Jitendra Kumar Das, S/O Late Ram Padarath Das R/O
Village- Patepur, P.O- Shasan, P.S- Hasanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sima Devi D/O Keshav Das R/O Village- Matihani, P.S- Khodawandpur,
Distt.- Begusarai And At Present Wife Of Satyendra Kumar And Resident Of
Village- Patepur Bharpura, P.S- Hasanpur, Distt.- Samastipur.
3. Satyendra Kumar S/O Late Ram Padarath Das Resident Of Village- Patepur
Bharpura, P.S- Hasanpur, Distt.- Samastipur, Distt.- Samastipur, Pin-
848205.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 16-04-2024 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 498(A), 376, 511, 307, 504 of the Indian Penal Code
and Sections 3 and 4 of the D. P. Act, but cognizance has been
taken under Section 498A of the I.P.C. and Sections 3 and 4 of
the D. P. Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and has been



falsely implicated in the instant case by the informant. It is next submitted that opposite party no.2 married the step brother (opposite party no.3) of the petitioner and from the wedlock, three children were born. It is next submitted that the opposite party no.2 is not interested in reviving her conjugal relationship and unnecessarily is harassing the petitioner. It is further submitted that notices were issued, but the same could not be served and thereafter, paper publication was ordered, which was also done in compliance of the order dated 17.02.2024, but still, no one appears on behalf of the opposite party no.2.

4. Learned A.P.P. opposes the anticipatory bail application.

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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Majhaul, Begusarai in connection with Complaint Case No.91C of 2015, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.



7. However, it is made clear that the opposite party no.2 shall be at liberty to file an application seeking cancellation of anticipatory bail of the petitioner, in the event, if the anticipatory bail has been obtained based on misleading facts.

(Satyavrat Verma, J)

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