

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65920 of 2023

Arising Out of PS. Case No.-132 Year-2020 Thana- MAHILA P.S. District- Nalanda

Kunal Sharma @ Kunal Kashyap, Son Of Satish Sharma Resident Of Village-
Lohra Ps- Harnaut, Dist- Nalanda

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Priyanka Kumari, Daughter Of Sri Narendra Prasad Singh Resident Of
Village- Puri, Po- Pawapuri, Ps- Pawapuri (OP), Distt- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 01-03-2024 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), 323, 504, 506, 315 and 379 of the Indian Penal
Code and Sections 3 and 4 of the D. P. Act.

3. The learned counsel for the petitioner submits that
since notices on behalf of opposite party no.2 was received by
her father, as such, he has filed an application of jointness.

4. In view of the submissions made by the learned
counsel for the petitioner, the notice is deemed to have been
validly served. It is further submitted that petitioner, being



husband, has been falsely implicated in the present case. It is also submitted that opposite party no.2, despite receiving notice, chooses not to contest and then, draws the attention of the Court to Para-12 of the anticipatory bail application to submit that opposite party no.2 has performed her marriage with one *Ashish Singh, son of Late Arjun Singh, resident of village-Kuhila, Police Station- Akbarpur, District- Nawadah*. It is next submitted that this perhaps explains why the opposite party no.2, despite receiving notice chooses not to contest.

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

6. 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 Sub-Divisional Judicial Magistrate, Biharsharif, Nalanda in connection with Mahila P. S. Case No.132 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that opposite party 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 married Ashish Singh.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

