

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11083 of 2024

Arising Out of PS. Case No.-1442 Year-2021 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

=====

Sanjay Sah @ Sanjay Kumar Sah SON OF Nageshwar Sah @ Nageshwar Prasad Gupta village- Zurakusiya, Rajgaon Tola, P.S.- Narayanpur, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. NITU KUMARI @ NITU BHARTI WIFE OF Sanjay Kumar Sah village- Zurakusiya, Rajgaon Tola, P.S.- Narayanpur, District- Bhagalpur

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sachina
For the Opposite Party/s : Mr.Satya Nand Shukla

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 15-05-2024 **1.** Heard learned counsel for the petitioner, Mr. Sachina and learned A.P.P. for the State.
- 2.** The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498A of the Indian Penal Code.
- 3.** Learned counsel for the petitioner submits that from perusal of the office report dated 9-5-2024, it would manifest that the notice has been received by the father of the OP No. 2.
- 4.** Since the notice has been received by the father of the OP No. 2, as such the notice is deemed to have been validly



served.

5. The learned counsel for the petitioner submits that petitioner, being husband, has been falsely implicated in the instant case. It is next submitted that a supplementary affidavit has been filed, wherein it has been specifically pleaded that the OP No. 2 has performed her second marriage, in support whereof, photographs have been annexed. It is thus submitted that this perhaps explains why the OP No. 2, despite receiving notice, chooses not to appear.

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

7. Considering the submission made by the learned counsel for the parties, the petitioner above-named, in the event of his arrest or surrender before the learned Court below 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 court below where the case is pending/successor court in connection with Complaint Case No. 1442 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



8. However, the complainant shall be at liberty to file an application before this court seeking cancellation of the anticipatory bail granted to the petitioner, in the event if it is found that the petitioner obtained anticipatory bail by misleading the Court.

(Satyavrat Verma, J)

SUMIT/-

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

