

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4428 of 2024

Arising Out of PS. Case No.-60 Year-2023 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

=====

Amar Kumar Son of Bhupendra Lal Karn @ Bhupendra Lal R/o vill -
Jhajhiat, P.S. - Pupri, Distt. - Sitamarhi (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anchal Kumari Karn W/o Amar Kumar, D/o Naresh Lal Karn R/o Mohalla -
Pirari, ward no. 13, Janakpur Dham, P.s. - Janakpur Dham, Distt. - Dhanusha
(Nepal)

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Devendra Kumar
For the Opposite Party/s : Ms. Pushpa Sinha

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 20-08-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323 and
498A of the Indian Penal Code.

3. Learned counsel for the petitioner submits that by
order dated 18.07.2024, this Court had requested the learned
Principal Judge, Family Court, Sitamarhi to convey the O.P. No.
2 through her learned lawyer who is appearing in Matrimonial
Case No. 24 of 2023 about pendency of the instant anticipatory
bail application.

4. Learned counsel for the petitioner next submits that



from perusal of the record, it would manifest that a report has been submitted by the learned Principal Judge, Family Court, Sitamarhi by his Letter No. 45 Dated 02.08.2024 wherein it has been recorded that the order dated 18.07.2024 has been shown to the learned lawyer appearing on behalf of the O.P. No. 2. The learned counsel, thus, submits that since O.P. No. 2 has been made aware of the pendency of the present case, but still she chooses not to appear which amply demonstrates that she is not interested in reviving her conjugal relationship though she is contesting Matrimonial Case No. 24 of 2023 pending in the Court of learned Principal Judge, Family Court, Sitamarhi filed by the petitioner for seeking divorce.

5. The learned counsel for the petitioner next submits that since O.P. No. 2 is not appearing in the case that in itself demonstrates that she is not interested in reviving her conjugal relationship.

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

7. 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 trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with CI-60 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

Rishabh/-

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

