

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3365 of 2024

Arising Out of PS. Case No.-349 Year-2023 Thana- BIHTA District- Patna

Manoj Kumar Son of Lalan Verma Resident of Yamunapur, Amhara, P.S.-
Bihta, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Kumari Wife of Manoj Kumar Resident of Prav, P.S.- Bihar, Distt.-
Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Digamber Kr. Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 08-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Bihta P.S. Case No. 349 of 2023 dated 11.04.2023, instituted for
the offence punishable under Sections 341, 323, 498(A), 504,
506/34 of the Indian Penal Code read with Section 3/4 of D.P.
Act.

3. The prosecution case, in short, is that, the marriage
of informant (O.P. no. 2) was solemnized with the petitioner
according to Hindu rites and customs but after some days of
marriage, the petitioner started demanding Rs. 10 lakhs from the
informant's family and when the informant (O.P. no. 2) refused



to bring money from his family then the petitioner along with other accused persons poured kerosene oil on the informant (O.P. no. 2) with an intention to kill her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner is the husband of opposite party no. 2.

5. Earlier this matter was sent to mediation centre to resolve the dispute between the parties but opposite party no. 2 (informant) did not agree to live with the petitioner. It is further stated that petitioner filed a case under Section 9 of the Hindu Marriage Act before the Principal Judge, Family Court Patna on 20.03.2023 for restitution of conjugal life due to which the informant (O.P. no. 2) filed the present false and concocted case against the petitioner. Lastly, it has been submitted that the petitioner has no criminal antecedents.

6. Learned A.P.P. has opposed the prayer for bail of the petitioner.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Bihta P.S. Case No.



349 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Danapur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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