

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5530 of 2025

Arising Out of PS. Case No.-107 Year-2024 Thana- MAHILA PS District- Darbhanga

Rakesh Poddar S/o- Sri Manikant Poddar Village- Kabirpur Ps- Sadar Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Juhi Kumari W/o- Rakesh Poddar Village Po- Kabirchak Ps- Sadar Dist- Darbhanga A/P- Satyadev Poddar Vill- Benipur Po- Benipur Ps- Bahera Dist- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Madhumala Kumari, Advocate
For the State	:	Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-02-2025 Heard Ld. counsel for the petitioner and Ld. APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Mahila P.S. Case No. 107 of 2024, registered for the offences punishable under Sections 85, 352, 126(2), 115(2) of B.N.S., 2023.

3. As per allegation, the petitioner/husband has doubt about the chastity of the informant/wife. Hence, he subjects her to cruelty and ultimately ousted her from his matrimonial home.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. She further submits that as a matter of fact on account of



normal wear and tear of married life, the present case has been filed by the informant/wife. She further submits that the petitioner is ready to keep his wife in his matrimonial home.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has two criminal antecedents.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. S.D.J.M, Darbhanga, in connection with Mahila P.S. Case No. 107 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court



below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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