

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8132 of 2025

Arising Out of PS. Case No.-267 Year-2023 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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Amritesh Mohan S/O Shyamanand Jha R/O Mohalla- Laxmipur, Naya Tola,
P.S.- Lalit Narayan Mithila University (LNMU) Dist.- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babli W/O Amritesh Mohan R/O Mohalla- Laxmipur, Naya Tola, P.S.-
LNMU, Dist.- Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Krishna Kumar
For the State	:	Mr.Yogendra Kumar
For Opposite Party No. 2:	:	Mr. Nafisuzzoha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 3 | 13-05-2025 | <ol style="list-style-type: none">1. Heard learned Counsel for the petitioner, learned Counsel for the Opposite Party No. 2 and learned Additional Public Prosecutor for the State.2. This application, for grant of anticipatory bail, arises out of LNMU Police Station Case No. 267 of 2023, dated 29.08.2023, disclosing offences punishable under Sections 341/323/452/307/494/504/506/34 of the Indian Penal Code.3. The prosecution case, as per the complaint -cum- First Information Report, is that the petitioner, who is the husband of the Opposite Party No. 2, entered into the house of Opposite Party No. 2, abused her and assaulted |
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her by fists and slaps and threatened to compromise all cases pending between them.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to ulterior motive. He submits that the Opposite Party No. 2 is in habit of filing cases after cases against the petitioner. He further submits that one criminal case under Section 498-A of the Indian Penal Code and one case under the provisions of the Domestic Violence Act is already going on. He further submits that the same complaint, by which the present First Information Report has been registered, was sent earlier to Mahila Police Station and the police found the case as mistake of fact and filed final form. He further submits that the informant has filed the present case only to harass the petitioner and there is no injury report to substantiate the allegation made in the complaint -cum- First Information Report.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is protracted litigation between the parties, who are husband and wife, there is no injury report to substantiate



the allegation made in the First Information Report and for the same occurrence, the police has earlier registered Mahila Police Station Case No. 113 of 2023, which was found to be mistake of fact and the police filed final form, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 5th Additional Chief Judicial Magistrate, Darbhanga, in connection with LNMU Police Station Case No. 267 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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