

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28680 of 2025

Arising Out of PS. Case No.-206 Year-2023 Thana- COMPLAINT CASE - BIRAUL AT
BENIPUR District- Darbhanga

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Rajesh Singh @ Rajesh Kumar Singh S/o Mithilesh Singh R/o Vill.- Navtol,
P.S.- Biraul, Distt.- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Swartha Kumari D/o Sewak Kamti R/o Vill.- Bhawanipur, P.S.- Biraul,
Distt.- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jagdish Prasad Singh, Adv.

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 4 23-09-2025 1. Heard learned counsel for the petitioner, learned A.P.P.
for the State and learned counsel for the O.P. No.2.
2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 498(A), 323, 504, 34
of the IPC.
3. The learned counsel for the petitioner submits that the
case was taken up on 13.08.2025 and four weeks' time was
granted to the O.P. No.2 for filing counter affidavit. The learned
counsel appearing on behalf of the O.P. No.2 seeks some more
time for filing counter affidavit.
4. The Court in the nature of allegation as alleged in the
complaint is not inclined to grant any further time to the O.P.



No.2 for filing counter affidavit.

5. The learned counsel for the petitioner at this stage submits that in sum and substance the complainant alleges that she was married to the petitioner at Delhi but then petitioner vehemently rebuts the said allegation of the complainant and it is submitted that petitioner never got married with the complainant. It is next submitted that from perusal of the complaint petition, it would manifest that the same also does not disclose that where in Delhi the petitioner and complainant got married. It is thus submitted that had the petitioner been married to the complainant at Delhi at least the complainant would have disclosed the name of the place where the marriage ceremony took place but then that is not the case which casts an aspersion on the case of the petitioner. It is also submitted no doubt a criminal case has been instituted by the complainant alleging that she had married the petitioner but petitioner disputes the said contention. As such no useful purpose would be served by sending the petitioner to jail, more so, when no counter affidavit within a period of four weeks could be filed by the O.P. No.2 denying the submissions of the petitioner as raised in the anticipatory bail application.

6. The learned APP for the State and the learned counsel



for the O.P. No.2 opposes the anticipatory bail application.

7. Considering the submissions made on behalf of 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 C.R. No.206/2023, subject to the conditions as laid down under Section 482 (2) of BNSS.

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

(Satyavrat Verma, J)

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