

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28966 of 2025

Arising Out of PS. Case No.-75 Year-2024 Thana- MAHILA P.S. District- Lakhisarai

Abhishek Chandan S/o Ajay Kumar R/o Village- Haveli, P.O.- Moraura, P.S.-
Bihar Sharif, District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shivani Kumari D/o Sudhendu Shekhar R/o Quel Brindawan, P.S.- Quel,
Distt.- Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Baitha, Advocate
For the Opposite Party/s	:	Mr. Syed Ehteshamuddin, APP
For the Informant	:	Mr. Sanjiv Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-07-2025 Heard Mr. Kumar Baitha, learned counsel for the

petitioner, Mr. Sanjiv Kumar, learned counsel for the Informant

and Mr. Syed Ehteshamuddin, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Mahila P.S. Case No. 75 of 2024, F.I.R. dated
21.11.2024 for the offences punishable under Sections 126(2),
115(2), 85, 351, 352, 3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant
alleged that her marriage was solemnized with the petitioner on
29.11.2021. At the time of marriage, she was informed that her
husband (the petitioner) was working as Deputy Manager,



Kotak Mahindra Bank but after marriage her husband stayed only for a period of 05 days and left for Pune by giving assurance that he will return after getting leave and when he did not return, the father, brother and other relative of informant search him and found that her husband does not work in any branch of Kotak Mahindra, however they traced out the address of flat of her husband and found that the flat belongs to the petitioner and his wife lives in the flat.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He has filed a supplementary affidavit stating therein that petitioner is ready to pay Rs.15,00,000/-(Rupees Fifteen Lakhs) as one time settlement to the informant and also ready to return the articles which is kept in the house of the petitioner to the informant.

5. The learned Additional Public Prosecutor and learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioner.

6. Learned counsel for the Informant has filed a counter affidavit stating therein that the informant is not ready to receive Rs.15,00,000/-(Rupees Fifteen Lakhs) as one time settlement from the petitioner. He further submits that the



informant is ready to live with the petitioner.

7. Considering the aforesaid facts and circumstances, , let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned S.D.J.M, Lakhisarai in connection with Mahila P.S. Case No. 75 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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