

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26587 of 2025

Arising Out of PS. Case No.-1568 Year-2022 Thana- NAWADAH COMPLAINT CASE
District- Nawada

Navin Kumar S/o- Sanjay Singh R/o Village- Pandeybigha PS - Antari
District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Archana Kumari W/o- Navin Kumar, D/o- Sakendra Kumar Singh R/o
Village- Nepura PS- Deepnagar District- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 7 27-08-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of the
opposite party no. 2.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498(A) and
494 of the Indian Penal Code.
3. The case was taken up on 18.08.2025 and the
petitioner and the opposite party no. 2 were directed to remain
physically present before this Court since the dispute is
matrimonial.
4. The opposite party no. 2 is present in the Court but
the petitioner has not appeared.
5. Learned counsel appearing on behalf of the petitioner
submits that he had a talk with the petitioner in the morning today



and he informed that he is suffering from Typhoid on which learned counsel appearing on behalf of the opposite party no. 2 submits that it is a bald plea being taken by the petitioner for the reason that if he was really suffering from Typhoid in that event he would have contacted his learned lawyer much before as the case was taken up earlier on 18.08.2025 when both petitioner and opposite party no. 2 were directed to remain physically present. It is further submitted that if the petitioner for any reason was not in a position to appear physically in that event he ought to have filed an exemption application seeking exemption from appearance but then no such application has been filed which amply demonstrates that petitioner only to evade the Court has not appeared.

6. Learned counsel appearing on behalf of the opposite party no. 2 submits that petitioner has performed his second marriage. It is further submitted that the marriage of the opposite party no. 2 with the petitioner was performed in the year 2014 and out of the wedlock two children were born who presently are staying with the opposite party no. 2. It is next submitted that petitioner deserted the opposite party no. 2 and the children about three and half years back, as such, one can well imagine the plight of the opposite party no. 2 how she is surviving with two children without any financial support while the petitioner is enjoying his second marriage.



7. The opposite party no. 2, at this stage, submits that since her husband, i.e., the petitioner has performed his second marriage one can well imagine the mental trauma through which she is passing. It is further submitted that her father-in-law has executed a Will with respect to three and half bighas of land in her favour for maintaining the children.

8. Learned counsel appearing on behalf of the petitioner is not in a position to rebut the submissions of the learned counsel appearing on behalf of the opposite party no. 2 but then on query of the Court whether petitioner has performed his second marriage or not the learned counsel appearing on behalf of the petitioner fairly submits that petitioner has performed his second marriage.

9. After hearing the learned counsel for the parties, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Complaint Case No. 1568 of 2022 pending in the Court of learned Sub-Divisional Judicial Magistrate, Nawada/Successor Court.

10. Hence, the prayer for anticipatory bail is rejected.

11. The personal appearance of the opposite party no. 2 is dispensed with.

(Satyavrat Verma, J)

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