

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28524 of 2025

Arising Out of PS. Case No.-64 Year-2024 Thana- MAHILA PS District- Buxar

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Bhanu kumar Moury @ Bhanu Kumar Mourya S/o Late Gopal Singh @
Gopal Jee Singh Resident of village- Koransarai, P.S- Koransarai, District-
Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Durga Kumari D/O Late Sushil Kumar Singh R/O Vill Amirpur P.S.
Nawanagar Distt Buxar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Rai Sharma
For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-08-2025 1. Heard learned counsel for the petitioner and learned

A.P.P. for the State along with learned counsel appearing on

behalf of the O.P. No.2.

2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Sections 341, 323,

498(A), 504, 313 and 34 of the Indian Penal Code & Sections 3/4

D.P. Act.

3. Learned counsel for the petitioner submits that

petitioner during the period of investigation was given the

benefit of Section 41(A) Cr.P.C. It is next submitted that

petitioner during the course of investigation cooperated in the

investigation as such police never felt the need of arresting the



petitioner but then in a mechanical manner submitted charge sheet based on which cognizance came to be taken, as such petitioner apprehends arrest. It is next submitted that the dispute is matrimonial. It is also submitted that since police during the course of investigation never felt the need of arresting the petitioner whether it would be prudent for the court to send the petitioner to jail merely for the reason that charge sheet came to be submitted and cognizance has been taken. It is asserted and submitted that petitioner denies his marriage with the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that she got married with the petitioner in the Mahila P.S. and then before the notary. It is submitted that such marriage has no sanctity of law.

4. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that police during the course of investigation never felt the need of arresting the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of his arrest or surrender before the learned Court below 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 Buxar (Mahila) P.S. Case No.64/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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