

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29090 of 2025

Arising Out of PS. Case No.-34 Year-2024 Thana- MAHILA P.S. District- Lakhisarai

Banti Kumar Son of Kapil Mandal Resident Of Village -Behind Purani Bazar
Mahila Vidya Mandir, Ps- Lakhisarai, Dist- Lakhisarai

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Soni Kumari wife of Banti Kumar Resident Of Village -Behind Purani Bazar
Mahila Vidya Mandir, Ps- Lakhisarai, Dist- Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sadanand Prasad Deo, Advocate
For the State : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 14-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Mahila P.S. Case No. 34 of 2024, dated
19.05.2024, registered for the offences punishable under
Sections 498A, 341, 323, 325 and Section 504/34 of the Indian
Penal Code.

3. As per allegation, the petitioner-husband was
putting pressure on the informant-wife to withdraw the earlier
criminal case filed by her against him under Section 498A IPC
and on non-withdrawal of the same, she was subjected to
cruelty.



4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the marriage between the petitioner-husband and informant-wife was solemnized in the year, 2013 and one child is born out of the wedlock in the year, 2015 and there is no truth in the allegation as made in the earlier criminal case or in the present case. He further submits that as a matter of fact, on account of normal wear and tear of married life, she is unhappy and hence, she has filed the false case. He further submits that the petitioner is a government employee and if he does not get anticipatory bail, his career may be spoilt and even the informant will suffer, because he is paying maintenance to her and the child.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has one criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named,



to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Mahila P.S. Case No. 34 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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