

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28793 of 2025

Arising Out of PS. Case No.-3363 Year-2024 Thana- PATNA COMPLAINT CASE District-
Patna

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Parmendra Kumar @ Premendra Kumar @ Guddu S/O Prem Nath Pandit
Resident of Village- Sherpur, P.S- Maner, Distt.- Patna at present Residing at
New Subhash Colony, Road No. 5 B, P.S- Mango, Distt.-
Jamshedpur(Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushbu Kumari W/O Parmendra Kumar @ Premendra Kumar @ Guddu,
D/O Late Vijendra Pandit R/O Mohalla- Golghar, Masjid Gali, P.S- Gandhi
Maidan, Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Siddharth Harsh, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, A.P.P.

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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.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323, 504,
506, 406, 354, 34 and 498A of the Indian Penal Code as well as
Section 366(E) of the IT Act.

3. Learned counsel for the petitioner submits that the
case was taken up on 07.05.2025 when notices were issued on
the opposite party no. 2. It is further submitted that from perusal
of the office report dated 03.07.2025, it would manifest that the
same records that the opposite party no. 2 has personally
received the notice (as per service report kept at flag 's').



However, the maternal uncle of the opposite party no. 2 has signed on the service report.

4. Since the opposite party no. 2 has received the notice personally, as such, the notice is deemed to be validly served.

5. Learned counsel appearing on behalf of her petitioner submits that opposite party no. 2, despite receiving the notice, chooses not to appear and contest the case which amply demonstrates that she is not interested in reviving the conjugal relationship, though petitioner has filed Case No. 58 of 2025 in the Court of learned Principal Judge, Family Court, Jamshedpur for restituting his conjugal rights with the opposite party no. 2. It is further submitted that the dispute is matrimonial and the petitioner being the husband has been falsely implicated in the instant case.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, let 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 Complaint Case No. 3363 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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