

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65264 of 2024

Arising Out of PS. Case No.-13 Year-2024 Thana- MAHILA PS District- Khagaria

Shashank Saurabh Son of Mrityunjay Prasad Singh @ Mrutunjay Sharma @
Karu Singh Residence of village - Hasanpur, Post - Damodarpur, P.S.- Piparia,
District - Lakhisarai, State - Bihar, Pin code - 811311.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sandhya Kumari Daughter of Madhur Kumar Singh Residence of Village -
Srirampur Thuthi, Police Station - Parvatta, Dist.- Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar, Advocate
For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 17-01-2025 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 498(A), 354(B), 323, 324, 341, 342, 307, 506/34 of the
Indian Penal Code in connection with Mahila P.S. Case No.13
of 2024.

3. The learned counsel for the petitioner submits that
by order dated 27.09.2024 notices were issued on O.P. No.2. It
is next submitted that from perusal of the office report dated
09.01.2025 it would manifest that ordinary notice was received
by the father of O.P. No.2. Since the ordinary notice has been
received by father of the O.P. No.2 as such it is deemed to have



been validly served.

4. The learned counsel for the petitioner next submits that petitioner being husband falsely implicated in the instant case by the O.P. No.2. It is next submitted that petitioner was married to the O.P. No.2 on 19.04.2019 and out of the wedlock a child was born. It is submitted that petitioner is in the Army posted as Ordinance Civil Clerk as Junior Officer Assistant (JAO), in Kolkata. It is also submitted that the O.P. No.2 is employed as a teacher in a school, namely, Kanya Madhya Vidhyalaya, Shriram, Thutthi and the said school is near to her parental home, as such O.P. No.2 does not want to leave the job and accompany the petitioner to Kolkata along with the child. It is further submitted that father of the O.P. No.2 received the ordinary notice, but still the O.P. No.2 chooses not to appear and contest, which amply demonstrates that O.P. No.2 is not interested in staying with the petitioner.

5. The learned APP opposes the anticipatory bail application.

6. 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, is directed to be released on bail



on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., ist, Khagaria in connection with Mahila P.S. Case No.13 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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