

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70658 of 2024

Arising Out of PS. Case No.-70 Year-2018 Thana- EKMA District- Saran

Binod Kumar Srivastava @ Binod Srivastava Son of Late Aniruddha Lal
Resident of Village- Bagaura, P.S.- Durandha, District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kanchan Devi Wife of Binod Kumar Srivastava, D/O Shankar Prasad Srivastava R/O Vill.- Bagaura, P.S.- Duraundha, Dist.- Siwan, Presently Resides at Vill.- Mane, P.S.- Ekma, Dist.- Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawnit Kumar Tiwary, Adv.
For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

10 12-08-2025 Heard learned counsel for the petitioner and

learned APP for the State. No one appears on behalf of the O.P.

No. 2 despite issuance of notice.

2. The petitioner apprehends his arrest in connection
with Ekma P.S. Case No. 70 of 2018, registered for the offences
punishable under Section 323, 341, 379, 448, 498(A), 307,
420/34 of the Indian Penal Code.

3. The case is under Section 498(A) and the petitioner is
husband. The allegation in the F.I.R. is arising out of a
complaint with regard to demand of dowry and torture and also
assault upon the informant/O.P. No. 2.

4. The learned counsel appearing on behalf of the



petitioner that the marriage dates back to the year 1995 and the allegations made in the complaint refer to the incidents of the year 2015, however, in connection with same, the complaint was lodged in the year 2016, whereupon, the F.I.R. came to be instituted in the year 2018. It has been stated by the petitioner that all of a sudden in the month of March, 2023, the petitioner came to know about the present case and he still showed his, bona fide, by asking her to resume the conjugal relationship to which O.P. No. 2 did not agree. After investigation, the allegations levelled under Section 307 of the I.P.C. have not been found true against the petitioner.

5. Learned A.P.P. appearing for the State opposes grant of anticipatory bail of the petitioner.

6. Considering the facts and circumstances and also considering the fact that the petitioner is agreeable on resuming the conjugal relationship and he is a man of clean antecedent, let the petitioner, above named, in the even of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra, in connection with Ekma P.S. Case No. 70 of 2018, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023.

(Soni Shrivastava, J.)

Jyoti Kumari/-

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