

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72182 of 2024

Arising Out of PS. Case No.-7991 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Amit Mishra @ Amit Kumar Mishra Son of Suresh Mishra R/o vill - Samho, akbarpur Chalis tola, P.S. - Samho, Distt. - Begusarai, At present Dulari Bhawan, Near Ratan Apartment, Ambedkar Chowk, Chitkohra, P.O. - Anisabad, P.S. - Gardanibagh, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sweta Bhaskar W/o Amit Mishra @ Amit Kumar Mishra R/o vill - Samho, Akbarpur Chalis Tola, P.S. - Samho, Distt. - Begusarai. At present D/o Rajnish Kumar Pathak, Sadguru Bhawan, Krishna Vihar Colony, Beur, P.S. - Beur, Distt. - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

5 27-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in Complaint Case No. 7991(C) of 2023 registered under Sections 323, 341, 506, 498A and 406 of the Indian Penal Code.

3. According to allegation, marriage of the complainant was solemnized with the petitioner on 08.03.2010. According to affording capacity of the parents of the complainant, the customary presents were given on the occasion of marriage. Before marriage, the petitioner and his



family members given information that the petitioner was a graduate but he was not even a matric. It has also been mentioned in the complaint petition that the accused persons made pressure upon the complainant and her family members to solemnize marriage of younger sister of the complainant with younger brother of the petitioner. The accused persons attempted to post the photographs of sister of the complainant on fake social media accounts.

4. It has been submitted on behalf of the petitioner that the marriage was solemnized in the year, 2010 and this case has been lodged in the year 2023 i.e. after more 10 years. The recitals of the complaint petition are prima facie false and despite the notice has twice been sent, the complainant did not appear. As a matter of fact, the complainant is in job which is mentioned in paragraph no.14 of the complaint petition whereas the petitioner is not in job. The complainant has already filed a suit for a decree of divorce against the petitioner.

5. On the other hand, learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of four weeks



from today, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna in connection with Complaint Case No. 7991(C) of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Nawneet Kumar Pandey, J)

AjayMishra/-

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