

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72005 of 2024

Arising Out of PS. Case No.-73 Year-2023 Thana- MAHILA PS District- Darbhanga

Vijay Pradhan, Son of Braj Kishore Pradhan Village- Chhotki Daine, Ps-
Baheri, Dist- Darbhanga, P/A- Maruti Kunj, Near Naya Gaon, Bhondsi, Dist-
Gurugram, Haryana

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deepa Devi wife of Vijay Pradhan Village- Ladho, Ps- Biraul, Dist-
DarBhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Avanish Singh- Advocate
For the Opposite Party/s :	Mr. Rabindra Kumar- A.P.P.
	Mr. Saurav Anand- Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 22-03-2025 1. Heard learned counsel for the petitioner, learned
APP for the State and the learned counsel appearing on behalf of
the informant.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 323, 341, 498A, 504, 506, 34 of the Indian Penal Code
and Section 3/4 of the D. P. Act.

3. The learned counsel for the petitioner submits that
the petitioner being husband has been falsely implicated in the
instant case by the informant. It is next submitted that informant
after instituting the instant FIR also instituted Complaint Case
No.35 of 2024 on 05.02.2024 in the Court of learned A.C.J.M.-



1st, Biraul, Darbhanga. It is next submitted that the petitioner moved before this Court by filing Cr. Misc. No.2592 of 2025 against the order of cognizance in the Complaint Case and this Court by an order dated 19.02.2025 has stayed the order of cognizance.

4. It is further submitted that in the instant FIR, the petitioner was given notice under Section 41(A) of the Cr.P.C. Accordingly, the petitioner appeared before the police and cooperated in the investigation, but then, police after investigation, submitted charge-sheet. It is further submitted that since police never felt the need of arresting the petitioner during the course of investigation, as such, no useful purpose would be served by sending the petitioner to jail, when charge-sheet has been submitted. It is also submitted that the dispute is matrimonial and the entire family members including great grandmother and great grandfather in-laws have also been implicated.

5. The learned counsel for the informant as well as learned A.P.P. Sri Rabindra Kumar is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that petitioner during the course of investigation cooperated in the investigation and the police never felt the need



of arresting him.

6. Considering the submissions made by the learned counsel for the petitioner and taking in account the fact that the informant also instituted a complaint case, 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 Sub-Divisional Judicial Magistrate, Darbhanga in connection with Mahila P. S. Case No.73 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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