

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.79117 of 2023**

Arising Out of PS. Case No.-123 Year-2023 Thana- MOKAMAH District- Patna

RAVI ANAND son of Pravin Chandra Chaudhary Village- 197/1 68, Trivant  
Kutir Near MES College Palman State Sancole Ps- Verna Dist- Goa South  
Goa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pushpanjali Bhavya wife of Ravi Anand, D/o- Vijay Kumar Village-  
Moldiyar Tola W.No-10, Ps- Mokama Dist- Patna

... .. Opposite Party/s

**Appearance :**

|                            |                        |
|----------------------------|------------------------|
| For the Petitioner/s :     | Mr.Shashank Shekhar    |
| For the Opposite Party/s : | Dr. Indihar Kumari     |
|                            | Mr. Manoj Kumar Pandey |
|                            | Ms. Kumari Pallavi     |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

11    17-03-2025                    1.    Heard learned counsel for the petitioner, learned  
A.P.P. for the State and the learned counsel appearing on behalf  
of the OP No. 2.

2.    The petitioner apprehends his arrest in a case  
registered for the offences punishable under Sections 420, 307,  
323, 376, 498A, 379, 504 and 34 of the Indian Penal Code.

3.    The learned counsel for the petitioner submits that  
petitioner being husband has been falsely implicated in the  
instant case by the informant, it is next submitted that informant  
was married to the petitioner at Goa on 26-4-2021, thereafter it is  
alleged that the petitioner used to take her to various clubs and  
used to intoxicate her and thereafter unknown persons used to



establish physical relations with her and when she disclosed the said fact to her parents, the accused person including the petitioner tried to kill her by pouring kerosene oil, but somehow she managed to save herself and thereafter it is alleged that petitioner, in order to fabricate evidence, used the mobile of the OP No. 2 and sent messages to different customers in order to portray that it was the OP No. 2 who was instrumental in committing the misdeeds.

4. The learned counsel for the petitioner submits that from perusal of the allegations as alleged in the FIR, it would manifest that the same is cryptic, vague and does not inspire confidence for the reason that the FIR does not disclose the name of the club where the OP No. 2 was taken and was intoxicated for the purposes of establishing physical relations, it is also submitted that the allegation of torture and abuse is general and omnibus in nature, it is further submitted that the entire occurrence is alleged to have taken place at Goa, but then instead of instituting an FIR at Goa, the instant FIR, which arises from a complaint case, came to be instituted in Bihar, it is next submitted that had the FIR been instituted at Goa, the Goa Police would have been in a better position to investigate the case, but then instituting the case within the jurisdiction of Patna with respect to an occurrence alleged to have taken place at Goa and



that too with cryptic details, whether the Patna Police would be in a position to even investigate the case fairly, it is also submitted that the OP No. 2 in order to cover up her misdeed very wisely implicated the petitioner with an allegation that he used her mobile for the purposes of sending messages to customers, it is next submitted that the marriage was an arranged marriage, as such in absence of specific details, it is difficult to believe the allegations.

5. Learned counsel for the petitioner next submits that petitioner has filed Marriage Petition No. 88 of 2023 in the learned Family Court, Goa, seeking divorce from the OP No. 2 on the grounds of adultery, it is further submitted that despite OP No. 2 receiving notice in the said case, chose not to appear before the learned Family Court, Goa, rather moved before the Hon'ble Supreme Court by filing Transfer Petition Civil No. 926 of 2024 for transferring Marriage Petition No. 88 of 2023 to the State of Bihar, it is submitted that the Hon'ble Supreme Court by its order dated 26-9-2024 was pleased to dismiss the Transfer Petition Civil No. 926 of 2024 filed by the OP No. 2, it is next submitted that OP No. 2 now cannot take this plea that she does not have any notice of the matrimonial case filed by the petitioner seeking divorce on the ground of adultery before the learned Family Court, Goa, it is also submitted that the case is proceeding *ex*



*parte* and the judgement is awaited.

6. Learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner, but then is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that the allegation as alleged in the FIR is cryptic, vague and lacks in essential details and the Transfer Petition Civil No. 926 of 2024 filed by the OP No. 2 seeking transfer of Marriage Petition No. 88 of 2023 has been dismissed by the Hon'ble Supreme Court.

7. 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 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 Mokama P.S. Case No. 123 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

SUMIT/-

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