

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87873 of 2024

Arising Out of PS. Case No.-44 Year-2024 Thana- RAMNAGAR District- West Champaran

Janmejay Keshari S/O- Jaynarayan Kesari R/o - Danmarwa, P.S - Ramnagar,
District - west Champaran

... .. Petitioner

Versus

1. The State of Bihar
2. Sushila Devi W/o- Janmejay Keshari, D/o- Lakshaman Prasad R/o-
Pratappur Ps-Semara Dist-W.Champaran

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Milind Kumar Mishra, Advocate Mr. Yogeshwar Tiwari, Advocate
For the State	:	Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 08-01-2025 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Ramnagar P.S. Case No. 44 of 2024 dated 01.02.2024, registered for the offences punishable under Sections 341, 323, 504, 506, 498A, 34 of the Indian Penal Code.

3. As per allegation, marriage between the informant/wife and the petitioner/husband was solemnized 15 years back and one daughter was born out of the wedlock. However, she could not give birth to a male child and hence the informant has been subjected to cruelty by the petitioner and other co-accused. The informant and her minor daughter is not



being maintained by the husband/petitioner.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the present false case has been filed on account of matrimonial discord.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. It transpires that there is matrimonial discord and the better course for the parties is to move Family Court to resolve their dispute.

9. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of Ld. Sub-divisional Judicial Magistrate, Bagaha, West Champaran, in connection with Ramnagar P.S. Case No. 44 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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