

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2576 of 2025

Arising Out of PS. Case No.-477 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Lalit Kumar Jha S/o- Late Kripa Nand Jha Resident of Mohalla- Laliyahi
ward no 10 police station- Katihar Sahayak District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Kumari W/o- Lalit Kumar Jha Moh- Majheli Chowk Ps- Madhubani
Dist- Purnea P/A- Mahila Constable NO-243, at Sasaram PS- Sasaram Dist-
Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Adv
For the Opposite Party/s : Mr.Sangeeta Sharma, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 02-07-2025 Heard learned counsel for the petitioner, learned
counsel for the OP.No.2 and learned APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under sections 498A, 324, 325, 504,
506, 323 of the Indian Penal Code.

3. The allegation in the FIR is that the informant, who
was married in the year 2015 was treated with cruelty and has
also raised an allegation against her husband, the petitioner, of
having illicit relationship with his sister-in-law(Bhabhi).

4. Learned counsel for the petitioner submits that it would
be apparent from the FIR itself that the marriage took place in
the year 2015 and the present FIR has been lodged in the year



2024 with false and baseless allegation. So far as the allegation of illicit relationship is concerned, it has been submitted that after the demise of the elder brother of the petitioner, he was performing his duties towards his wife and children, which was not to the liking of the informant and hence, such allegation has been made. Further, it has been submitted that no cruelty has been meted out to the informant rather the informant is constable, posted at Sasaram and it is she, who wants that her husband should act according to her dictates to which the petitioner did not agree. Further, there are two children out of the wedlock and they are both staying with the petitioner, who has put them in a hostel and is bearing all the educational expenses of the two children.

6. The learned counsel for the OP.No.2 opposes the prayer for bail on the ground that she has been treated with cruelty by the petitioner and she has even been forbidden from meeting her own children, who are in the custody of father (petitioner).

7. Taking the rival contentions into the consideration, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today, the petitioner be



released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand)with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Katihar Sahayak P.S. Case No. 477 of 2024, subject to condition as laid down under section 438(2) of the Cr.PC .

8. However, it is made clear that the petitioner would not cause any disturbance or impediment to the informant in case he wants to meet her children either in the hostel or in the house.

(Soni Shrivastava, J)

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