

IN THE COURT OF 1st ADDL. SESSIONS JUDGE, MUZAFFARPUR**A.B.P. No. 1015/2026****Pankaj Kumar..... Petitioner.****Vs.****State of Bihar..... O.P.****O R D E R****22.06.2026**

This application has been filed, for grant of anticipatory bail, on behalf of the accused petitioner, namely, Pankaj Kumar, in connection with Sadar P.S. Case No. 1085/2025, registered U/Ss 85, 3(5) of the B.N.S., pending in the Ld. Court of C.J.M., Muzaffarpur. Informant has appeared before the court, today, alongwith her Ld. Counsel.

Heard arguments of Ld. Counsel, appearing for the accused petitioner, Ld. Counsel for the informant and Ld. A.P.P., for the state.

Ld. Counsel for the accused petitioner has submitted that previously no no anticipatory or regular bail petitions of any nature had been filed by the accused petitioner, either in this court or before the Hon'ble High Court. That the petitioner has got criminal history of one case. That the petitioner is quite innocent, has not committed any offence and has falsely been implicated in this case. That brother of the petitioner and his wife have already surrendered before Ld. Court of C.J.M., Muzaffarpur and have been enlarged on bail. That the petitioner has been tortured by the informant, alongwith the family members, several times. That the petitioner has also filed a complaint case, vide Complaint Case No. 4030/2025, against the informant and her family members. That the above case was lodged against this petitioner and his family members, due to greedy mind set of the informant for grabbing immovable property, where informant resides, which stands in the name of Punam Singh, who is the sister-in-law (Bhabhi) of the petitioner. It has further been submitted that the petitioner has got genuine apprehension of his arrest in this case. Ld. counsel for the petitioner side, prays for his release on anticipatory bail.

Ld. A.P.P. for the state and Ld. Counsel for the informant, opposed the prayer for anticipatory bail.

Perused the record, including the FIR and copy of case diary, from paras no. 01 to 32. From perusal, it transpires that allegation against this petitioner is that he had continuously committed cruelty with his wife (the informant) and had also used to abuse and beat her. There is further allegation against the petitioner that he is not of good character and he has deep relationship and proximity with his

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‘Bhabhi’. The petitioner is the husband of the informant. There is direct and specific incriminating material against the petitioner, on the record and witnesses in paras no. 04, 07, 08 & 09 of the case diary, have also supported the allegations, levelled against him. It further transpires that the informant side has submitted certified copies of the order sheets of a court in Hajipur (Vaishali), in relation to Complaint Case No. 2932/2012 and on perusal of those order sheets, it appears that process u/s 83 of the Cr.P.C., has been issued against the petitioner, in that case, which has also been filed against him by his wife (informant of the present case) and the petitioner is continuously evading arrest in that case. It is also important to mention that the petitioner and his informant wife were directed to appear before the court for exploring the possibility of mediation, but despite of repeated opportunities, the accused petitioner failed to appear before the court, although the informant wife appeared before the court.

Considering the above mentioned facts and circumstances of the case, this court is of view that it is not a fit case for grant of privilege of anticipatory bail, to the petitioner. However, if the petitioner surrenders before the court below and seeks regular bail, it shall be decided on its own merit and keeping in view the relevant rulings on this point, without being prejudiced by this order. Accordingly, the anticipatory bail application of the accused petitioner, namely, **Pankaj Kumar**, stands **disposed of**, in above terms.

(Dictated)

Sd./-

1st Addl. Sessions Judge
Muzaffarpur