

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36719 of 2016

Arising Out of PS.Case No. -82 Year- 2014 Thana -SHIWAPATHI District- MUZAFFARPUR

1. Subodh Bhagat Son of Jagdish Bhagat Resident of village- Raghai, Police Station- Siwaipatti, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. Smt. Meena Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 26-10-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the daughter of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 304B and 201/34 of the Indian Penal Code.

The prosecution case is that the informant got his daughter Guddi Married with the petitioner in the year 2011, but subsequently she was subjected to torture for non-fulfillment of the dowry demand. On 01.07.2014, the informant reached to in-laws house of his daughter but she was found missing, when the father of petitioner Jagdish Bhagat conveyed to him that she left the house without informing the in-laws. Hence, the informant raised suspicion that the petitioner and others might have killed his

daughter and disposed of the dead body.

It is submitted by the learned counsel for the petitioner that as per own admission of the informant he came to know about missing of his daughter on 01.07.2014 when the FIR was lodged on 22.07.2014 and subsequently the informant retracted from the initial version and filed a petition to that effect before the learned court below stating therein that his daughter was mentally abraded and she used to leave the house without informing anyone.

Mr. J.N. Thakur, learned APP, after going through the case dairy, submits that during investigation, the independent witnesses have also stated that the victim eloped with someone and death of the victim has not been ascertained, however, initially the informant raised suspicion that the accused persons might have killed the victim.

Considering the delayed lodging of the case, death being not ascertained by the investigating agency till date and retracted version of the informant, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-IX-cum-Additional Chief Judicial Magistrate,

Muzaffarpur in connection with Siwaipatti P.S. Case No. 82 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Learned court below will be at liberty to cancel the bail bonds of the petitioner if he defaults for three consecutive occasions or if he fails to co-operate during investigation.

(Dinesh Kumar Singh, J)

Amrendra/-

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