

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.42525 of 2016**

=====

Gopal Kumar Son of Prahlad Bhagat, Resident of Villlage- Shripur,  
P.S.+District- Madhepura.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Ranjana Devi D/o Hiralal Bhagat, W/o- Gopal Kumar, at present  
residing at Gibatpur, P.S.- Chatapur, Bhimpur Phari, District- Supaul.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Sri Nityanand

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

**ORAL ORDER**

02/ 27-09-2016

Heard learned counsels for the petitioner and the  
State.

The petitioner being the husband of the  
complainant is apprehending his arrest in a complaint case wherein  
process has been directed to be issued after cognizance being  
taken for the offences punishable under Sections 498A of the  
Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-  
fulfillment of the dowry demand.



It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant but the petitioner filed Madhepura P.S. Case No. 43 of 2014 on 25.01.2014 levelling accusation under Sections 494 and 379 of the Indian Penal Code against one Jai Kumar Bhagat, who happens to be brother-in-law (Bahnoi) of the complainant with whom the complainant eloped and subsequently performed marriage. In Madhepura P.S. Case No. 43 of 2014 the brother-in-law of the complainant Jai Kumar Bhagat has been charge-sheeted. Moreover, the voter list of Chhatapur Assembly Constituency has been brought on record as Annexure- 7 & 8, the name of the complainant figures at Serial No. 311 where she has been described as wife of Jai Kumar Bhagat.

Considering the filing of the criminal case at earlier point of point by the petitioner side and the voter list describes the complainant as wife of Jai Kumar Bhagat, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Madhepura in connection with Complaint Case

No. 377 of 2014, subject to the conditions as laid down under  
Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

DKS/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

