

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21419 of 2017

Arising Out of PS.Case No. -137 Year- 2016 Thana -MAHILA P.S District- SUPAUL

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SHANKAR YADAV @ SHANKAR KUMAR, Son of Anan Yadav @ Anant Yadav, resident of Village - Amaha, Police Station - Supaul, District - Supaul.

.... Petitioner

Versus

1. The State of Bihar.
2. Anshu Devi, D/o Hanuman Yadav, resident of village Kaushalipatti, P.S. Pipra, District - Supaul.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Gopal Kumar Jha, Advocate
For the State : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-05-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Supaul Mahila P. S. Case No. 137 of 2016 for the offences instituted under Sections 341, 498(A), 323, 504, 506/34 of the IPC , ¾ of the Dayan Act and ¾ of the D. P. Act.

The prosecution story, in brief, is that the informant was married with this petitioner as per Hindu rites and rituals. On the occasion of the marriage, the father of the informant spent of Rs. 2,50,000/- and he has also given several articles worth Rs. 1,00,000/-. After marriage, the petitioner and others started torturing the informant due to non-fulfilment of dowry demand. It



is also alleged that the accused persons administered night soil in the mouth of the informant and assaulted the informant. It is alleged that when the informant heard that the accused persons are making plan to consume poison in the food of the informant she anyhow fled away from her matrimonial home and .came at her *Maike*.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. No specific allegation has been made against him. The petitioner is ready to keep the informant as a wife with dull dignity and respect. Learned counsel for the petitioner has relied upon a judgment in the case of Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R. and he is the husband of the informant.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Supaul Mahila P.S.



Case No. 137/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Supaul, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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