

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25945 of 2017

Arising Out of PS.Case No. -777 Year- 2016 Thana -COMPLAINT CASE District- ARRARIA

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Santosh Kumar Bhagat @ Santosh Bhagat Son of Gajendra Bhagat,
Resident of Village- Kala Balua, P.S.- Raniganj, District- Araria.

.... Petitioner

Versus

1. The State of Bihar.
2. Nitu Devi, Wife of Santosh Kumar Bhagat @ Santosh Bhagat, Daughter
of Rajendra Bhagat, Resident of Village- Ghargama, P.S.- Narpatganj,
District- Araria.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat

For the Opposite Party/s : Mr. Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-07-2017 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned counsel appearing on
behalf of the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No.777 of 2016 for the offences instituted
under Sections 498(A) of the Indian Penal Code.

The allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of the demand of
dowry.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The



petitioner has falsely been implicated in the present case. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

It has further been submitted on behalf of the parties that they are agreed to stay together. If the complainant goes to the house of the petitioner, the petitioner shall keep his wife with all respect and dignity.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory 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 Complaint Case No.777 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Araria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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