

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18972 of 2017

Arising Out of PS.Case No. -28 Year- 2016 Thana -MAHILA P.S. District- BHOJPUR

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Kaushal Kumar Pal S/o Harinath Pal, R/o Village-Mokhalisha, P.S.-
Koilarwar, District-Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Julie Devi W/o Kaushal Kumar Pal, D/o Lal Bihari Bhagat, R/o
Village-Pigania, P.s.-Udawanagar, District-Bhojpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 30-06-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Mahila P.S. Case No. 28 of 2016 for the offences punishable under sections 323 and 498 (A)/34 of the I.P.C and section 34 of the Dowry Prohibition Act.

This case has been lodged on the basis of Complaint Case No. 1240 (C) of 2015 with the allegation that the petitioner being the husband and others started demanding motorcycle and for that she was assaulted. Panchayati was also done but inspite of that she was being tortured and on 10.06.2015 she was ousted from the in-laws house after snatching all her articles.

Submission is of false implication and that the petitioner never demanded anything, the marriage was performed



in the year 2014, as a matter of fact the informant is in the habit to flee away from the matrimonial house, there was an agreement also but she again fled away and lodged this false case, during investigation Lawkush Singh and Jaiprakash Pal, vide paragraphs- 35 and 43 of the case diary, have stated regarding innocence of the petitioner and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that other witnesses have supported the prosecution version and the petitioner being husband is solely responsible for the acts.

In the facts and circumstances as stated above, considering the statements of Lawkush Singh and Jaiprakash Pal, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M. Bhojpur at Ara in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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