

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2770 of 2018

Arising Out of PS.Case No. -950 Year- 2016 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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Yogendra Bhagat, Son of Suresh Bhagat, Resident of Village-Jamua
Cheron, P.s. Mali, District-Aurangabad.

.... Petitioner

Versus

1. The State of Bihar
2. Abha Devi, Wife of Yogendra Bhagat, Resident of Village- Jamua
Cheran, P.S. Mali, District-Aurangabad, at Present Resident of Village-
P.O., P.S. -Khudwan, District-Aurangabad.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Shailesh Kumar Singh, Advocate.
For the O.P. No. 2 : Mr. Anirudh Kr. Verma and Mr. Vyas Kr.
Mishra, Advocates.
For the State : Mr. Jai Narain Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-02-2018 A supplementary affidavit has been filed on behalf of
the petitioner. The same may be kept on the record.

It has been stated in the supplementary affidavit that
the matter has been settled between the parties and the opposite
party no. 2 is residing with the petitioner. The said fact has not
been controverted by learned counsel for opposite party no. 2.

Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party no.
2.

The petitioner is apprehending his arrest in a case for



the offence registered under Sections 498(A), 323 of the IPC and 4 of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfillment of demand of dowry.

It has been submitted by learned counsel for 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 due to petty family dispute. The case is triable by the Magistrate. The petitioner has further relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned C.J.M. Aurangabad, in connection with Complaint Case No. 950 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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