

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42808 of 2018

Arising Out of PS. Case No.-154 Year-2010 Thana- KISHUNPUR District- Supaul

Shatrughan Yadav, Son of Late Chhedi Yadav, Resident of Village- Sarigarh,
(Ward No. 15), P.S.- Kishanpur, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Munna Devi, Wife of Shatrughan Yadav, Daughter of Late Bhogi Lal Yadav,
resident of Village- Jarauli, P.S.- Pipra, and District- Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha
For the Opposite Party/s : Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-07-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 323, 342, 364A, 371, 379, 386, 406, 494, 498A/34 of the Indian Penal Code, but cognizance has been taken under Sections 498A and 379 of the I.P.C.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of 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 due to petty family dispute. It is further submitted that question of maintainability of anticipatory bail with regard to under Section 41(1) of Cr.P.C. has



already been decided by another Co-ordinate Bench of this Court in the case of Gauri Shankar Roy Vs. The State of Bihar, reported in 2015(3) PLJR 618. The case is triable by the Magistrate as the cognizance has been taken under Sections 498A and 379 of the I.P.C. The petitioner has 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 State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 Sri Kumar Krishnadeo, learned Judicial Magistrate, Supaul in connection with Kishanpur P.S. case No.154 of 2010, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

