

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25971 of 2018

Arising Out of PS. Case No.-248 Year-2017 Thana- COMPLAINT CASE District- Banka

Santosh Kumar Bhagat S/o Late Bindeshwari Bhagat @ Late Bindhyeshbari Prasad Bhagat, R/o Mohalla- Nodia Ward No. 15, Post - Kanyapur, P.S.- Asansole, District- Burdman (West Bengal), Official Address- Assistant Loco Driver, C.T. S.S.I. (T.R.S.) Electric Andal, Bestern Railway, Andal, District- Burdwan.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Gyanmala Kumari W/o Santosh Kumar Bhagat, D/o Gokul Bhagat, Presently residing at Batsar, P.S.- Dhoraiya, District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha
For the Opposite Party/s : Mr. Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case in which cognizance has been taken under section 498A of the Indian Penal Code and 4 of Dowry Prohibition Act.

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. The case is triable by the Magistrate. 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 learned S.D.J.M., Banka in connection with Complaint Case No. 248/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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