

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2325 of 2019

Arising Out of PS. Case No.-317 Year-2018 Thana- DHAKA District- East Champaran

Santosh Kumar Sah, Male-36 years, S/O Ram Pukar Sah, resident of Village
-Kasaiya (Simra), P.S.- Dhaka, Dist- East Champaran.

... .. Petitioner

Versus

1. The State of Bihar.
2. Arti Devi, Female-34 years, Resident of Village-Sitalpatti, P.S.- Pipra,
District- East Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr.Anshu Dhar Sharma, Advocate.
For the State : Mr.Tarkeshwar Nath Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 342, 323, 498(A),
120(B)/34 of the IPC and $\frac{3}{4}$ of the D. P. Act.

The prosecution story, in brief, is that the informant
was married with the petitioner on 11.11.2017 according to
Hindu rites and rituals. After marriage, the informant went to
her *Sasural* but after eight months, all the F.I.R. named accused
persons including the petitioner started imposed cruelty upon
her for demand of a *Hero Honda Motorcycle* and cash Rs.
10,00,000/- as dowry. On 15.06.2018, all the accused persons
assaulted the informant and after snatching all her *Stridhan*, they



ousted her from her *Sasural* house. It has further been alleged that the maternal uncle of her husband, namely, Jai Prakash and Om Prakash gave her threatening that if she comes in her *Sasural's* house, she will be set on fire.

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 petitioner is husband of the victim. 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 counsel for the State, 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 S.D.J.M.



Sikarahana, Dhaka, in connection with Dhaka P.S. Case No.
317/2018, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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