

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28492 of 2019

Arising Out of PS. Case No.-197 Year-2018 Thana- DAUDPUR District- Saran

Sanjit Kumar Son of Ganesh Mahto Resident of Village - Shitalpur, P.S.-
Daudpur, District- Saran at present residing in Village - C-07 Satauli Triveni
Sugar Mill, Muzaffarnagar, P.S.- Town, District- Muzaffarnagar (U.P.) -
251201

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Smt. Sunila Devi Wife of Sanjit Mahto, D/O- Vishwakarma Mahto Resident
of Village - Sitalpur, P.S.- Daudpur, District- Saran at present residing at
Village - Kamta, P.S.- Baniapur, District- Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Srivastava
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 07-08-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Daudpur P.S. Case No. 197 of 2018, registered under
Sections 498(A), 323, 504, 304 and 120(B) of the Indian Penal
Code.

The allegation against the petitioner, as per the first
information report, lodged by Sunila Devi that marriage of the
informant/opposite party no. 2 was solemnized with the
petitioner on 21.04.2015 and after marriage for some time the
informant lived peacefully in her matrimonial home but,



subsequently, the petitioner as well as other family members of the petitioner started demanding a Car and another articles as dowry from the informant and her father.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case, inasmuch as petitioner is engaged in the small work of preparing Pan Card etc. and it is highly improbable that a person of this status will demand the dowry of four wheeler from the informant and her family members. Learned counsel further submits that allegation against the petitioner is general and omnibus in nature, however, this court had issued notice to opposite party no.2. despite i.e. informant refused to accept the notice.

After having heard learned counsel for the parties and taking into consideration that fact that the allegation in the first information report is general and omnibus against the petitioner and the petitioner is ready to keep the informant as his wife with all care and dignity but the informant i.e. opposite party no.2 chose not to appear before this Court despite notice being issued, accordingly, I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above named, in the event of arrest



or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Shri Rakesh Mani Tiwari, J.M.Ist Class, Saran at Chapra, in connection with Daudpur P.S. Case No. 197 of 2018; subject to condition as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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