

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46863 of 2019

Arising Out of PS. Case No.-2564 Year-2018 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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SANTOSH KUMAR Son of Jai Shankar Bihari Raut Resident of Mohalla-Krishna Dwarika Path Muhalla Vishnupad Road, Gaya, Police Station-Vishnupad, District-Gaya.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Anjali Reshav Wife of Santosh Kumar, Daughter of Satya Narayan Mahto Parental residence-S.N. Niwas Muhalla Chaudhary Mubarak, Police Station-Town Hajipur, District-Vaishali. Matrimonial residence Mohalla-Krishna Dwarika Path Muhalla Vishnupad Road, Gaya, Police Station-Vishnupad, District-Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Mr.Anant Kumar 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-11-2019 This application, for grant of anticipatory bail, arises out of Complaint Case No. 2564 of 2018, disclosing offences under Sections 498(A), 370, 323 and 406 of the Indian Penal Code.

Petitioner happens to be husband of the complainant and allegation against him is of forcing the complainant for cohabitation with other persons and for that torturing the complainant and also assaulting her. It is also alleged that accused persons have assured the complainant to not torture her and, thereafter, taken her to their house but they again assaulted and tortured her.

Submission of learned counsel for the petitioner is all the allegations are false and concocted and it is not expected from a



husband to force his wife to make physical relationship with other persons and the said allegation has been levelled only with a view to make the case serious and further there is no allegation of demand of dowry in this case.

Heard learned A.P.P. also as well as learned counsel for the complainant. They have opposed the prayer for anticipatory bail of the petitioner. Learned counsel for the complainant has submitted that the allegation is very heinous and petitioner does not deserve the privilege of anticipatory bail.

Having heard both sides, considering the facts and circumstances, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -XV, Vaishali at Hajipur, in connection with Complaint Case No. 2564 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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