

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13866 of 2021

Arising Out of PS. Case No.-298 Year-2019 Thana- GARKHA District- Saran

YUGAL KISHORE RAI S/o Late Dev Lal Rai R/o village- Panchmiriya,
P.S.- Garkha, District- Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarita Devi D/o Shiv Pujan Rai R/o village- Panchmiriya, P.S.- Garkha,
District- Saran at Chapra. At present R/o Mohalla- Mouna Yadav Ahir Toli,
West Side From Nehru Chowk, P.S.- Chapra Town, District- Saran at Chapra

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Bijendra Kumar Singh, Advocate
For the State	:	Mr. Nityanand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

- 3 06-09-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

The petitioner is apprehending his arrest in connection with Garkha P.S. case No.298 of 2019 registered under Sections 498A, 379, 384, 307, 504, 506, 34 of the Indian Penal Code.

Allegation against the petitioner is of committing torture and assault 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. The petitioner is the father-in-law of the victim. There is no medical examination report in respect of offence under Section 307 of I.P.C. Rest of the offences are 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 facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of Sri Atul Kumar Singh, learned A.C.J.M. 14th, Saran at Chapra in connection with Garkha P.S. case No.298 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with



two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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