

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12302 of 2020**

Arising Out of PS. Case No.-474 Year-2019 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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SANTOSH KUMAR YADAV S/o Late Bhudhai Yadav R/O Bhatrandha, P.S.
Ghailadh, District - Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Archna Kumari W/o Santosh Kumar Yadav, D/O Late Braj Mohan Yadav
R/o Village - Balha, P.s. - Bangown, District - Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Md. Harun Quareshi, Advocate
For the State	:	Ms. Sangeeta Sharma, APP
For O.P. no. 2	:	None

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 06-07-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video
conferencing. Noone appears on behalf of the opposite party
no.2.

The petitioner has filed the instant application for grant of
anticipatory bail apprehending his arrest in connection with
Complaint Case no. 474 of 2019 registered under sections 498A
and 323 of the Indian Penal Code.

As per allegation in the complaint, the complainant was
married to the petitioner herein and three children were born out
of the said wedlock. It is stated that the accused persons started
to torture, assault and abuse the complainant for non-fulfilment



of the demand of dowry to the tune of Rs.2 lacs.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the complaint are false and incorrect. The petitioner has always been willing to keep the opposite party no.2 along with his children with him as a member of their family. During pendency of this application, by order dated 10.7.2020 interim order was granted that no coercive step shall be taken against the petitioner. In spite of all efforts on his part, the matter could not be settled.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on anticipatory bail.

The petitioner above named, in the event of his arrest or surrender in the Court below within a period of six weeks from today is directed to be enlarged on bail in connection with Complaint Case no. 474 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Saharsa, subject to the conditions as laid



down in section 438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

Spd/-

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