

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34351 of 2020

Arising Out of PS. Case No.-122 Year-2019 Thana- COMPLAINT CASE District- Araria

SANTOSH KUMAR SAH Son of Parmanand Sah Resident of Village-
Baradbatta, Police Station- Palasi, District- Araria.

... .. Petitioner

Versus

1. The State of Bihar
2. Puja Devi Daughter of Dule Lal Sharma Wife of Santosh Kumar Sah,
resident of Village- Parrabari, Police Station- Palasi, District- Araria.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-03-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to remove
the defects, as pointed out by the Office, within a period of four
weeks.

The petitioner is apprehending his arrest in a case in
which cognizance has been taken registered under Section 498A
of the Indian Penal Code and 4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment 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 due to petty family dispute. The case is 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.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 learned S.D.J.M., Araria in connection with Complaint Case No. 122C of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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