

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7528 of 2021

Arising Out of PS. Case No.-27 Year-2020 Thana- AKBARNAGAR District- Bhagalpur

ASHISH KUMAR PIYUSH (Male), aged about 28 years, S/O Sadanand Yadav @ Bhutali Yadav @ Murali Yadav, Resident of Village - Nathpur, P.S. Rupauli (Mohanpur O.P.), District - Purnea.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Chandra Shekhar Anand, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-08-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

A supplementary affidavit has been filed on behalf of the petitioner bringing on the record the depositions of the prosecution witnesses. Let it be kept on the record.

Heard learned counsel for the petitioner and learned A.P.P. for the State through Virtual mode.

The petitioner is apprehending his arrest in connection with Akbarnagar P.S. Case No. 27/2020 for the offence registered under Sections 304(B) and 328/34 of the I.P.C.

The prosecution story, in brief, is that the daughter of the informant, namely, Anjali Kumari, was married with this



petitioner on 08.03.2019 and since then she lived at her matrimonial home. Her daughter used to talk with the informant under fear, because her husband used to torture her. The father-in-law and the mother-in-law of her daughter also used to torture for want of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The informant of the present case has been examined in course of trial. She has retracted from her earlier statement made in the F.I.R. and rests of the prosecution witnesses have been declared hostile.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let 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 the learned A.C.J.M.-Ist, Bhagalpur, in connection with Akbarnagar P.S. Case No. 27/2020, 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) only 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)

U.K./-

U		T	
---	--	---	--

