

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14100 of 2023

Arising Out of PS. Case No.-399 Year-2022 Thana- BARUN District- Aurangabad

SANTAN PAL @ RANJAN PAL SON OF BACHCHU PAL R/O VILLAGE-
POKHRAHI, P.S.- BARUN, DISTRICT- AURANGABAD

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. GANAURI BHAGAT SON OF LATE GANESH BHAGAT R/O VILLAGE-
GULNI, P.O.- ISLAMPUR, P.S.- GURUA, DISTRICT- GAYA

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rakesh Singh, Advocate
For the Opposite Party/s :	Md. Ataur Rahman, A.P.P.
	Mr. Raj Shekhar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-08-2023 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 364, 498, 120(B) of the Indian Penal Code.

3. As per prosecution case, informant solemnized marriage of his daughter with the petitioner in the year 2005. It is alleged that after some time, she was subjected to harassment and torture by the in-laws, including this petitioner, for non-fulfillment of demand of dowry. It is further alleged that this petitioner solemnized second marriage and he conspired and killed the daughter of the informant after kidnapping her.

4. It is submitted on behalf of the petitioner that no



such occurrence, as alleged in the F.I.R., has ever taken place. As a matter of fact, petitioner and his wife/victim, namely, Sabita Kumari, had gone to Delhi and while boarding on Bus Route No. 949, due to heavy crowd, she failed to board on the said bus and thereafter, petitioner filed a missing complaint which was lodged in Kamla Market Police Station (photocopy of the pamphlet and missing information annexed as Annexure-2 'series' to the petition). Lastly, he submits that victim/wife of the petitioner has been recovered on 18.11.2022 from the informant's house and was produced before the court of learned Chief Judicial Magistrate, Aurangabad and in her statement, recorded under Section 164 of the Cr.P.C., she has not alleged anything wrong against the petitioner and at present, she is living with her parents.

5. Learned counsel for the informant vehemently opposes the prayer for bail of the petitioner.

6. Considering the recovery of the victim and the fact that she has not alleged anything wrong against the petitioner, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in connection with Barun P. S. Case No. 399 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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