

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22834 of 2023

Arising Out of PS. Case No.-29 Year-2022 Thana- MAHILA PS District- Jamui

SANTOSH KUMAR Son of Kapil Mahto @ Kapildeo Mahto R/V- Pursanda,
PS- Sikandra, Dist-Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 498(A), 323, 504 and 379 of the Indian Penal Code and Section 3/4 of the D.P. Act pending in the learned court below.

3. The allegation against the petitioner is of torturing and assaulting the informant in association of his family members and of ousting her out of the matrimonial house. It is further alleged that they they have demanded Rs.2,00,000- from the informant only they then will ready to keep her other they did not.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that petitioner is husband of the



informant. He submits that the informant stated in the fardbeyan that she is in love with the petitioner from the last two years but one sided but petitioner never in love with the informant. He further submits that the informant has already married with another person and the petitioner has also married with another girl (mentioned para-17 & 18 of the bail application). He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes for prayer for bail.

6. Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Jamui Mahila P.S. Case No.29 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Learned court below is directed to verify the fact that whether the informant has married with another person or



not. If, informant is not married with another person then the bail bond of the petitioner shall not be accepted by the learned Court below.

(Anjani Kumar Sharan, J)

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