

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52189 of 2022

Arising Out of PS. Case No.-245 Year-2018 Thana- JHAJHA District- Jamui

KAUSLENDRA SAO @ KAUSLENDRA KUMAR SAW S/o Pramod Sao
R/o village- Sohjana, P.S.- Jhajha, District- Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. RICHA DEVI WIFE OF KAUSLENDRA SAO @ KAUSLENDRA KUMAR SAW, D/O SHYAM KUMAR SAW R/O VILLAGE-NIMARANG, P.S. AND DISTRICT- JAMUI

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan Singh
For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

10 01-08-2023 Jointness petition has been filed stating that O.P. No.2 resides with her sister, who has received notice of O.P. No.2, in jointness in the same house.

2. In that view of the matter service of notice on O.P. No.2 is deemed to be validly served.

3. Heard learned counsels for the petitioner and learned A.P.P. for the State. Despite valid service of notice none appears on behalf of O.P. No.2

4. The petitioner is apprehending his arrest in connection with a case registered for the offence punishable under Sections 498(A), 323, and some other ancillary Sections of the I.P.C. and u/s 3/4 of the D.P. Act.



5. The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry.

6. It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is the husband of the victim and he is ready to keep his wife with full honour and dignity. There is no allegation of tampering with the witnesses alleged against the petitioner. The case is triable by the Magistrate. The petitioner has further 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*. Petitioner has got clean antecedent.

7. Learned counsel for the State opposes the prayer for anticipatory bail.

8. Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall 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 Sub



divisioinal Judicial Magistrate, Jamui in connection with Jhajha
case No. 245/ 2018, subject to conditions laid down u/s 438(2)
of the Cr. P. C.

(Prabhat Kumar Singh, J)

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