

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20871 of 2024

Arising Out of PS. Case No.-142 Year-2023 Thana- COMPLAINT CASE District- Banka

Shankar Das, Son of Late Akalu Das, Resident Of Village - Domuhan, P.S. -
Chandan, District - Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalita Devi, Wife Of Shankar Das, Resident Of Village - Domuhan, P.S. -
Chandan, District - Banka. At Present Daughter Of Late Kirani Das,
Resident Of Village - Manjhali Karehiya, P.S. - Sarth, District - Deoghar,
Jharkhand.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his
arrest in connection with Complaint Case No. 142 of 2023,
registered for the offences under Section 498(A) of the Indian
Penal Code.

3. As per prosecution case, petitioner who is
husband of the complainant, demanded Rs. 3,00,000/- in
dowry and on non-fulfillment of this demand, drove her out
from his house.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. The complainant got married with this petitioner in the year 1984 and out of the said wedlock, two children were born who are aged about 32 years and 28 years. The complainant has performed second marriage in the year 2002 with one Ganpat Das and there is one child from the said wedlock. The complainant filed Maintenance Case No. 127 of 2011 against Ganpat Das in the court of learned Principal Judge, Family Court, Deoghar. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the completely vague nature of allegation against the petitioner without any substantive material and also considering the clean antecedent of the petitioner coupled with possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Banka/court concerned in connection with Complaint Case No. 142 of 2023, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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