

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32931 of 2024

Arising Out of PS. Case No.-668 Year-2022 Thana- GAYA KOTWALI District- Gaya

Md. Pappu @ Md. Kalim @ Pappu Son of Md. Amin Resident of Bypass
Ghughritand, P.S.- Vishnupad, Dist.- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Hasina Praveen Wife of Md. Afroz Resident of Mohalla- Panchayat Akhara,
P.S.- Kotwali, Dist.- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Advocate

For the Opposite Party/s : Ms.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 02-08-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Kotwali PS case no. 668 of 2022, disclosing
offences punishable under Sections 498(A), 341, 323, 366,
379/34 of the Indian Penal Code and Section 3/4 of Dowry
Prohibition Act.
3. The prosecution story, as per the First Information
Report, is that the marriage of the informant- opposite party
no. 2 with co-accused Md. Afroz was solemnized on
27.02.2022. It has been alleged that after sometime, the accused
persons including the petitioner starting demanding a sum of



Rs. 5 lac as dowry and due to non-fulfilment of the demand, the accused persons tortured the informant physically and mentally. The husband of the informant eloped with her younger sister, in which, the petitioner has supported.

4. Learned Counsel for the petitioner submits that petitioner is a co-villager and is not part of the family of the informant's husband. From perusal of the statement of the informant's sister made under Section 164 Cr.P.C., before the learned Magistrate, it would be evident that the petitioner is not involved in the case and sister of the informant eloped with the co-accused on her free will.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is not the family member of the co-accused persons and the victim, in her statement made under Section 164 Cr.P.C., has not disclosed the involvement of the petitioner, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Kotwali PS case no. 668 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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