

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52992 of 2024

Arising Out of PS. Case No.-25 Year-2023 Thana- ISHAKCHAK District- Bhagalpur

Santosh Kumar Son of Late Suresh Prasad Hajari R/o- Gorgama, P.S.-
Amarpur, Dist.- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amrita Bharti Wife of Santosh Kumar R/o Vill.- Krishna Nagar, P.S.-
Ishakchak, Dist.- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-08-2024 Heard the parties.

2. The petitioner apprehends his arrest in a case registered under sections 498(A), 120B, 34 of the Indian Penal Code.

3. Allegation against the petitioner is of committing torture and forced her to give birth of male child and in drunken condition used to have unnatural relation against the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is an innocent person and has committed no offence. Petitioner has been falsely implicated in the present case due to grudge. The petitioner has 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. It is submitted that the petitioner is ready and willing to keep his wife with full honour and dignity.

5. 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 bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Ischakchak P.S. Case No. 25 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

6. If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Anjani Kumar Sharan, J)

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