

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1434 of 2024

Arising Out of PS. Case No.-508 Year-2022 Thana- KHARHAGPUR District- Munger

Santosh Kumar @ Santosh Ram, Son of Bhairo Ram @ Bhairav Ram, R/o
Village- Teghra, P.S.- Kharagpur, District- Munger

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Pranav Kumar Jha, Advocate
For the State	:	Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in this case is seeking pre-arrest bail in connection with Haweli Kharagpur P.S. Case No. 508 of 2022 registered for the offences punishable under Sections 341, 323, 307, 498A, 313, 504 of the Indian Penal Court. He has no criminal antecedent.

3. As per the prosecution story, the complainant of Complaint Case No. 409C of 2022 was married to one Karan Kumar in the year 2010 and out of the said wedlock, she had three daughters. The husband of the complainant died on 27.02.2022. It is alleged that from 2018 itself, the in-laws of the complainant and other family members started demanding Rs.2,00,000/- and for this they started torturing her. The complainant had alleged that as soon as the shradhkarm of her

husband was done, on 11.03.2022 the FIR named accused persons started demanding Rs.2,00,000/- from the parents of the complainant and due to non-fulfillment of the same, they started brutally assaulting the complainant which resulted in loss of her three-months old pregnancy. All the FIR named accused persons ousted the complainant with her daughters from their house.

4. Learned counsel for the petitioner submits that there is no specific allegation of assault against this petitioner who is the *dewar* of the complainant. It is further submitted that the father-in-law and mother-in-law of the complainant have been allowed anticipatory bail vide order dated 07.07.2023 in Cr. Misc. No. 35875 of 2023.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that in the FIR arising out of Complaint Case No. 409C of 2022, there is no specific allegation of assault against this petitioner, the petitioner is *Dewar* of the informant who has no criminal antecedent and the prayer for anticipatory bail of the father-in-law and mother-in-law of the complainant has been allowed vide Cr. Misc. No. 35875 of 2023, this Court directs that in case of his arrest or surrender within a period of four weeks from

today, the petitioner above-named shall be released on bail in connection with Haweli Kharagpur P.S. Case No. 508 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Munger, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

lekhi/-

U		T	
---	--	---	--