

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13888 of 2025

Arising Out of PS. Case No.-125 Year-2010 Thana- AANDAR District- Siwan

1. Jagdish Bhagat @ Jagdish Prasad Son of Ramnath Bhagat Resident of Village- Hasanpurwa, P.S. - Andar, District - Siwan
2. Ramnath Bhagat @ Ram Nath Son of Late Bodh Bhagat Resident of Village- Hasanpurwa, P.S. - Andar, District - Siwan
3. Sonamati Devi Wife of Ramnath Bhagat Resident of Village- Hasanpurwa, P.S. - Andar, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Ms. Pronoti Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-05-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code as well as Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant. It is further submitted that the case is of the year 2010 and the informant alleges that his daughter was married to Jagdish Bhagat (petitioner no. 1) on 04.07.2010 and after marriage, the



petitioners along with other accused persons started demanding Rs.20,000/- and a T.V. and on account of non-fulfillment of the dowry demand, they used to torture the victim. Further, on 03.09.2010, the informant came to know that the victim is missing from the house.

4. Learned counsel appearing on behalf of the petitioners submits that the police, after threadbare investigation, came to a considered conclusion that petitioners are innocent and, thus, submitted final form exonerating the petitioners of the allegation but then the learned trial court differing with the police report took cognizance, as such, the petitioners apprehend their arrest. It is further submitted that when one investigating agency, after threadbare investigation, came to a considered conclusion that petitioners are innocent, whether it would be prudent for this Court to send the petitioners to jail based on an order of cognizance which came to be taken on the same police report which exonerated the petitioners of the allegation. It is next submitted that petitioners will not abscond rather will cooperate in the trial to establish their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or 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.10,000/- (Rupees Ten Thousand) each 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 Andar P.S. Case No. 125 of 2010, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, if the learned trial court comes to a conclusion that petitioners, after their release on anticipatory bail, are trying to delay the trial of the case in any manner, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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