

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70163 of 2025

Arising Out of PS. Case No.-324 Year-2022 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Fantush Yadav @ Fantush kumar S/O Ganesh Yadav Residents of village -
Masdi, P.S- Sultanganj, District- Bhagalpur (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shashi Kumar S/O Mahendra Yadav R/O Vill.- Parvatti, P.S-
University, Dist.- Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Kamendra Prasad Singh, Advocate
For the State	:	Mr. Rajendra Nath Jha, APP
For the Complainant	:	Mr. Madan Mohan, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 10-12-2025 Heard learned counsel appearing on behalf of the

petitioner, learned APP appearing on behalf of the State and

learned counsel appearing on behalf of the

complainant/Opposite Party No. 2.

2. The petitioner apprehends his arrest in a complaint

case registered for the offence punishable under Section 4 of the

Dowry Prohibition Act.

3. As per prosecution case, it is alleged that the

complainant fixed marriage of his sister with co-accused Rajesh

Kumar and transferred a sum of Rs. 2,00,000/- in the account of

this petitioner for the expenses and further gave Rs. 6,50,000/-



cash, however, later on, the accused persons refused to solemnize marriage and started demanding more dowry.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner has been implicated in this false and fabricated case with ulterior motive. However, it is submitted that at this stage, without admitting his guilt, petitioner is ready to deposit the amount allegedly transferred in the account of this petitioner, amounting to Rs. 2,00,000/- (Rupees two lakhs), in easy installments.

5. On the other hand, learned A.P.P. appearing on behalf of the State and learned counsel appearing on behalf of the complainant/Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation and aforesaid undertaking of the petitioner, prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged 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 Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Complaint Case No. 324 of 2022, subject to condition as laid down under Section 482(2) of the B.N.S.S., along with the following terms and conditions:

- “A. At the time of furnishing bail-bond Rs. 1,00,000/- (Rupees one lakh) shall be deposited through cash in the Nazarat of the Civil Court, Bhagalpur.
- B. Rest amount i.e. Rs. 1,00,000/- (Rupees one lakh) shall be deposited in the Nazarat of Civil Court, Bhagalpur in two equal installments within a period of six months from the date of furnishing bail-bond.
- C. The aforesaid payment shall be subject to the final outcome of the case.
- D. If petitioner fails to comply the aforesaid direction of this Court, the Court below is free to cancel the bail-bond of the petitioner.”

8. It is made clear that without going into the merit of the case, the aforesaid order has been passed only for the purpose of grant of bail.

(Prabhat Kumar Singh, J)

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