

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84704 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- AURAI District- Muzaffarpur

Sanjeet Kumar S/O Late Deep Lal Sah R/O Village- Nayagaon, P.S- Aurai,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Aurai P.S. Case No. 79 of 2024, registered for the alleged offences under Sections 307, 341, 323, 325, 379, 504, 506/34 of the Indian Penal Code.

03. As per prosecution case, the informant was married second time with petitioner in the year 2019, who subsequently started demanding Rs. 6 lacs in dowry. On the fateful night, the petitioner and other co-accused persons assaulted the informant causing fracture of her hand. The allegation against the petitioner is that he hit on the head of the informant by iron rod. The informant was further assaulted by other co-accused persons and the informant received a number



of injuries..

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits that the petitioner is not the husband of the informant and no occurrence as alleged has ever taken place. Earlier the informant lodged Mahila P.S. Case No. 03 of 2023 against the petitioner and other family members under Sections 498(A) read with other minor sections of the IPC and Section 3/4 of DP Act. The injury report of the victim falsifies the allegation against the petitioner as only two injuries have been found on the person of the victim Kiran Devi and the injuries are lacerated wound on parietal region of scalp and abrasion of nasal septum and the second injury has been found to be grievous, but there is no allegation against the petitioner for causing the said injury. From the facts of the FIR, no offence under Section 307 IPC is made out. The petitioner is having criminal antecedent of one case in which he is on bail.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that the allegation against the petitioner is general and omnibus and further considering the possibility of false implication, let the



petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st class, Court No. 03, East Muzaffarpur/court concerned in connection with Aurai P.S. Case No. 79 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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