

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14836 of 2019

Arising Out of PS. Case No.-991 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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Sanny Kumar Son of Binod Sah, Resident of Old Gudri Chowk, In the House of Bhola Ji, Chamartoli, Police Station- Bettiah Town, District- West Champaran at Bettiah, presently residing at West Kargahiya (Kalibagh), Police Station- Bettiah Town (Kalibagh), District- West Champaran at Bettiah.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Kavita Kumari, Wife of Sanni Kumar and Daughter of Kashi Sah, Resident of Hat Saraiya, Police Station- Bairiya, District- West Champaran at Bettiah, presently residing at Naya Bazar Chowk, Police Station- Bettiah Town , District- West Champaran at Bettiah.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Jai Shanker Prasad, Advocate
For the State	:	Mr. Lalan Kumar, APP
For opposite party No.2	:	Mr. Bimlesh Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-03-2019 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case registered under Section 498A/34 of the Indian Penal Code.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family



dispute. The case is triable by the Magistrate. 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.

On behalf of the State and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of 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.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town (Kalibagh) P.S. case No.991 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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.

(Sudhir Singh, J)

Narendra/-

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