

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62801 of 2019

Arising Out of PS. Case No.-1196 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Santosh Kumar Son of Late Ramanand Sah Resident of Village- Koiriya Tola,
Triloki Nagar, Raxaul, Police station- Raxaul, District- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Kriti Devi Wife of Santosh Kuamr, D/O Laxman Prasad Resident of Village-
Koiriya Tola, Triloki Nagar, Raxaul, Police station- Raxaul, District- East
Champaran. At Present R/o Village- Phenara Patchimwari Tola, Police
Station- Phenara, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar Tondon
For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-10-2019 Heard learned counsel for the petitioner, O.P. No. 2 and
learned APP for the State.

The petitioner seeks bail in a case registered under Section
498A of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon
the victim due to non-fulfillment 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
is in custody since 21-07-2019. The petitioner has falsely been
implicated in the present case due to petty family dispute. The
petitioner undertakes that he will cooperate during trial. 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 O.P. No. 2 , it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sadar, Motihari in connection with Complaint Case No. 1196 of 2017.

The petitioner is directed to appear before the Family Court where the Maintenance case has been filed by the complainant.

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)

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