

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3936 of 2019**

Arising Out of PS. Case No.-12 Year-2018 Thana- EAST CHAMPARAN COMPLAINT  
District- East Champaran

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Ajit Rai @ Ajit Ray, Son of Sunardev Rai, resident of village- Kavilesa Ghogha Chauk, P.S.- Gopalpur, District- West Champaran.

... .. Petitioner

Versus

1. The State of Bihar.
2. Lakshami Devi, wife of Ajit Rai, D/O Surendra Tiwari, resident of village- Kavilesa Ghogha Chowk, P.S.- Gopalpur, District- West Champaran. At present Address- D/o- Surendra Tiwari, resident of village- Raghunathpur Tiwari Tola, P.S.- Ramghadwa, District- West Champaran at Bettiah.

... .. Opposite Parties

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**Appearance :**

|                    |   |                                                               |
|--------------------|---|---------------------------------------------------------------|
| For the Petitioner | : | Mr.Vibhakar Kumar, Advocate.                                  |
| For the State      | : | Mr.Vinod Shanker Modi, A.P.P.                                 |
| For the O.P. No. 2 | : | M/S. Rajive Ranjan Singh and Shanti Bhushan Singh, Advocates. |

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      29-01-2019                      Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the opposite party no. 2.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 323 and 498(A) of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent.



There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is the husband of the victim. The case is triable by the Magistrate. The petitioner has further 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Raxaul, in connection with Complaint Case No. C-12/2018, Trial No. 2611/2018, 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)**

U.K./-

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