

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15571 of 2020

Arising Out of PS. Case No.-438 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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RAJESH RAM @ RAJESH KUMAR Son of Arvind Ram Resident of
Village- Niriya, P.O.- Niriya- Tulsipur, P.S.- Chiksaura, Distt.- Nalanda.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Jyoti Devi W/o Rajesh Ram, D/o Virendra Ram Rermanent Resident of
Village - Badkichipura, P.S.- Gaurichak, Dist.- Patna. at present residing at
Village - of Sister in Law, namely Arvind Ram Son of Ramjee Ram of
Village - Kandap, P.S.- Gaurichak, Dist.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Singh
For the Opposite Party/s : Mr.Murli Dhar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-07-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of virtual Court proceeding.

The matter has been listed under the heading 'For Orders'
under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code and ³/₄
of Dowry Prohibition Act, in which cognizance has been taken
under Section 498A of I.P.C.

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, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, 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 his personal bond to the satisfaction of Ms. Sushmita Kumari, J.M. 1st class, Patna City, Patna in connection with Complaint case No.438 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two



sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

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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