

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15885 of 2020

Arising Out of PS. Case No.-7 Year-2020 Thana- KALUAHI District- Madhubani

VINDHYACHAL MISHRA Son of Narendra Mishra Resident of Village -
Bharatpatti, P.S.- Kaluahi, Distt.- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubbi Mishra D/o jaichand Jha Resident of Village - Bhatchaura, P.S.- Babu Barhi, Dist.- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sanjay Parasmani, Advocate
For the State	:	Mr. Ajay Kumar No. 2, APP
For the informant	:	Mr. Ravi Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-07-2020 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, learned
APP for the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case
registered under Sections 498(A), 341, 323, 354(B) 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-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. 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 informant, 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 eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of Sri Gopal Prasad Gupta, J.M. 1st class, Madhubani in connection with Kaluahi P.S. case No.07 of 2020 (Cri. No.62 of 2020), 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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