

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22394 of 2020

Arising Out of PS. Case No.-186 Year-2019 Thana- MAHILA P.S. District- Nalanda

NITISH KUMAR CHAUDHARY @ NITISH KUMAR Son of Krishna
Chaudhary Resident of Village- Mandach, P.S.- Deepnagar, Distt- Nalanda.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Khushboo Kuamri D/o Late Ram Chandra Chaudhary Resident of Village-
Jamali, P.S.- Deepnagar, Distt- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Dilip Kumar Roy, Adv.
For the State	:	Mr.Sanjay Kr. Pandey, APP
Fro the O.P. No.2	:	Mr. Sudhir Kr. Raj, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-09-2020 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.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of lifting of the lockdown in the
State of Bihar.

Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No.2.

The petitioner seeks bail in a case instituted for the
offences under Sections 498A, 341, 323, 504, 506, 494/34 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 is in custody since 14.02.2020 and has got no criminal antecedent. Charge sheet has been submitted in this case. 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./complaint case.

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 S.D.J.M., Biharsharif, Nalanda in connection with Mahila P.S. case No.186 of 2019.

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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