

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42413 of 2019**

Arising Out of PS. Case No.-1296 Year-2017 Thana- COMPLAINT CASE District- Banka

PRAMOD SAH S/o Kapil Prasad Sah @ Kapil Sah R/o Village- Hिरaraydih,
P.S.- Chandan (Anandpur), District- Banka

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Tuni Devi W/o Pramod Sah, D/o Late Subhash Pd. Sah R/o village-
Parghari, P.S.- Banka, District- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Abhay Kumar Roy

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

6 12-06-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Complaint Case No. 1296 of 2017, disclosing the offence under Sections 341, 323, 494, 498-A, 504, 506 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The petitioner is the husband of the complainant. It appears from the order-sheet and the materials on record that upon issuance of notice, the complainant had appeared and after her appearance, the matter was referred to Patna High Court Mediation Centre for amicable settlement of the dispute between the two. Learned Mediator has submitted his report to the effect that despite best efforts, the dispute could not be resolved through the process of mediation. This is to be noted that the petitioner was granted interim protection by an order of this Court dated 09.07.2019.



Learned counsel appearing on behalf of the petitioner has submitted that the dispute between the petitioner and the complainant is not matrimonial in nature. He has disputed the allegation of demand of dowry or torture, as disclosed in the complaint petition.

Considering the aforesaid circumstance and the nature of allegation, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, 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, Banka in Complaint Case No. 1296 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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