

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55174 of 2019

Arising Out of PS. Case No.-95 Year-2018 Thana- MAHILA PS District- Darbhanga

PRAMOD SAH @ PRAMOD SAHU Son of Buchan Sah @ Budhan Sah
Resident of Village- Dashua, P.S.- Ghanshyampur, District- Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha
For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

7 10-07-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

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

The petitioner is apprehending his arrest in a case
registered under Sections 498A, 323, 504, 379, 313/34 of the
Indian Penal Code.

Allegation against the petitioner is of committing
torture and assault upon the victim due to non-fulfillment 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. There is no medical evidence in support of the allegations made under Section 313 IPC. Rest of the offences are 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 facts and circumstances of the case and also the lockdown, 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 his personal bond to the satisfaction of learned S.D.J.M., Darbhanga in connection with Mahila P.S. Case No. (Darbhanga) Case No. 95 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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.

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.

(Sudhir Singh, J)

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