

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.974 of 2020

Arising Out of PS. Case No.-254 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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RITESH KUMAR GUPTA @ RITESH KUMAR S/o Ram Babu Prasad
Gupta R/o village- Chawal Bazar near Rassi Bazar, Raxaul, Ward No. 21,
P.S.- Raxaul, Distt.- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushbu Devi W/o Ritesh Kumar Gupta @ Ritesh Kumar, D/o Shambhu Prasad Gupta R/o village- Ashram Road Near Arya Samaj Road, Raxaul, P.S.- Raxaul, District- East Champaran. R/o Matrimonial Village- Chawal Bazar near Rassi Bazar, Raxaul, Ward No. 21, P.S.- Raxaul, Distt.- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-10-2021 Heard learned counsel for the petitioner and the State
through virtual mode. None appears on behalf of O.P. No. 2.

The petitioner is apprehending his arrest in Tr. No. 3129 of 2019 arising out of Complaint Case No. C-254 of 2019 registered under Sections 323 and 498A of the Indian Penal Code and ³/₄ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture 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. The petitioner is husband of the victim. 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, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Tr. No. 3129 of 2019 arising out of Complaint Case No. C-254 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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)

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