

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2585 of 2020

Arising Out of PS. Case No.-710 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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SUNNY KUMAR Son of Krishna Saw @ Krishana Saw Resident of Village-
Kopa, P.S.- Dulhin Bazar, District- Patna, at present residing at Village/
Mohalla- Sabajpura More surf Factory Station Road, Khagaul, P.S.- Phulwari
Sharif, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Premlata Kumari Wife of Sunny Kumar and Daughter of Rajesh Prasad
Gupta Resident of Village- Kopa, P.S.- Dulhin Bazar, District- Patna, at
present residing at Village/Mohalla New Yarpur, Bapu Nagar, Kahar Toli,
P.S.- Gardanibagh, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shakti Suman Kumar
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-12-2021 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code.

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 offence 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, 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, Danapur in connection with Complaint Case No. 710 (C) of 2018 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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