

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15142 of 2021

Arising Out of PS. Case No.-697 Year-2018 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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GHANSHYAM @ GHANSHYAM YADAV Son of Babunand Yadav
Resident of Village - Bhairapur, P.S.- Bhatani, District - Deoria (Uttar Pradesh).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi Wife of Ghanshyam Yadav Resident of Village - Bhairapur, P.O.- Ghati, P.S.- Bhatani, District - Deoria (U. P.). At present daughter of Chandrabhan Yadav, Resident of Village - Sabaiya, P.S.- Vijaipur, District - Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramadhar Shekhar
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of eight weeks.

The petitioner is apprehending his arrest in a case in
which cognizance has been taken under Sections 498A and 323
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 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, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gopalganj in connection with Complaint Case No. 697/18 (Trial No. 2230/19), 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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