

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4982 of 2020

Arising Out of PS. Case No.-214 Year-2019 Thana- RAMPUR District- Gaya

Vikarma Paswan Son of Sri Bhikhari Paswan Resident of Village - Gajradhi,
P.S.- Kudra, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rani Kumari D/O - Bechu Paswan Resident of Village - Kinarchola, P.S.-
Chenari, District- Rohtas at Sasaram

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 02-12-2021 On behalf of the petitioner it has been submitted that the present application is pending since 23-01-2020 i.e. more than one and half years. By order dated 02-03-2020, the matter was referred to the Mediation Centre, Patna High Court, Patna but due to Covid-19 lockdown, the mediation could not take place.

Counsel for the petitioner submits that let this matter be disposed of on merit.

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered under Sections 323, 341, 504/498A 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. All 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 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 Chief Judicial Magistrate, Gaya in connection with Rampur P.S. Case No. 214 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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