

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8333 of 2020

Arising Out of PS. Case No.-317 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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AMARJEET PASWAN @ AMARJEET KUMAR Son of Rudal Paswan
Resident of Village - Verma, Post - Salempur, P.S.- Karay Parsusaray, District
- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sona Devi @ Sona Kumari Wife of Amarjeet Paswan @ Amarjeet Kumar
Resident of Village - Verma, Post - Salempur, P.S.- Karay Parsusaray,
District - Nalanda. At present daughter of Arjun Paswan, Resident of Village
- Lavaich, Post - Hajrat Sai, P.S.- Dhanrua, District - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar
For the Opposite Party/s : Mr.Anand Kishore Choudhary

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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.

Learned counsel for the petitioner submits that the
present application was filed on 05-02-2020. By order dated 29-
02-2020, notices were issued upon O.P. No. 2 and requisites
were filed but as per office note dated 15-06-2020, notice has
not validly been served upon O.P. No. 2 due to prolonged
pandemic. Hence, counsel for the petitioner submits that let the
present application be disposed of on merit since it has been
pending for a long time.

The petitioner is apprehending his arrest in Complaint



Case No. 317(C) of 2019 registered under Sections 323, 504 and 498A of the Indian Penal Code and $\frac{3}{4}$ 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, Masaurhi, Patna in



connection with Complaint Case No. 317(C) 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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