

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11096 of 2020**

Arising Out of PS. Case No.-151 Year-2019 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Anish Dubey @ Satyam Dubey Son of Late Vinay Shankar Dubey Resident
of Village Dashashwamegh Ghat, House no. D-17/100, P.S.- Dashashwamegh
Ghat, Dist.- Varanashi (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pragati Upadhyay W/o Anish Dubey @ Satyam, D/o Ashwini Upadhyay,
Resident of Village Dashashwamegh Ghat, House no.17/100, P.S.-
Dashashwamegh Ghat, Dist.- Varanasi, At Present address - Resident of Vill-
Patesar, P.O.- Saukhara, P.S.- Chand, Dist.- Kaimura at Bhabua.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Rajani Kant Pandey
For the Opposite Party/s :	Mr. Parmanand Kumar
	Mr. Vinod Kumar Seth
	Mr. Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-12-2021 Heard learned counsel for the parties.

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
there is no allegation of tampering of witnesses alleged against
the petitioner. The petitioner has falsely been implicated in the
present 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.

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.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M.-5, Kaimur at Bhabua in connection with Complaint Case No.151 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.

(Anjani Kumar Sharan, J.)

Sanjay/-

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