

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11233 of 2020**

Arising Out of PS. Case No.-2388 Year-2019 Thana- PATNA COMPLAINT CASE District-  
Patna

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PAWAN KUMAR Son of Haridayanand Sahay @ Haridya Nand Sahay  
Rukhaiyar, Resident of Village - Makhanpur Idgah, P.O.- Gulzarbagh, P.S.-  
Alamganj, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Suman Kumari W/o Pawan Kumar, D/o Irendra Kumar Ambastha,  
Resident of Village - Gosai Tola, P.S.- Patliputara, Dist.- Patna.

... .. Opposite Party/s

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**Appearance :**

|                    |   |                         |
|--------------------|---|-------------------------|
| For the Petitioner | : | Mr.Subodh Kumar Barnwal |
| For the State      | : | Mrs.Rina Sinha, APP     |

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      25-10-2021                      Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner is apprehending his arrest in connection  
with Complaint case No.2388(c) of 2019 registered under Section  
498A of the Indian Penal Code.

Allegation against the petitioner is of committing torture  
upon the victim due to non-fulfilment 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. 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 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 bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IX, Patna in connection with Complaint case No.2388(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. In case, any such application is made by either of the parties, the court below shall refer the matter to the District Mediation Centre.

**(Sudhir Singh, J)**

Narendra/-

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