

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25673 of 2021

Arising Out of PS. Case No.-1336 Year-2015 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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KANHAIYA DAS Son of Pappu Das Resident of Village- Bishnupur Parath,
P.O.- Mirzapur Banduar, P.S.- Town Begusarai, District- Begusarai.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Savita Devi W/o Kanhaiya Das Resident of Village- Bishnupur Parath, P.O.-
Mirzapur Banduar, P.S.- Town Begusarai, District- Begusarai At present D/o
Shivchandra Das, Resident of Village- Brindavan Maniappa, Post- Rampur
Matihani, P.S. Matihani District- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-07-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

The petitioner is apprehending his arrest in a case registered
under Section 498A of the Indian Penal Cod.

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 as also the lockdown, let 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 his personal bond to the satisfaction of learned Sub Divisional Judicial Magistrate, Begusarai in connection with Complaint Case No. 1336C of 2015 subject to the conditions as laid down under Section 438(2) of Code of the Criminal Procedure Code.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

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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