

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16526 of 2020

Arising Out of PS. Case No.-1013 Year-2018 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

=====

RAKESH SAH S/o Binod Sah R/o village- Parari, P.S.- Sitamarhi, District-
Sitamarhi

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Smt. Archana Devi W/o Rakesh Sah, D/o Ramesh Bhagat At present
residing at village- Bhatauliya, P.S.- Sitamarhi, District- Sitamarhi

... .. Opposite Party/s

=====

Appearance :

For the Petitioner	:	Mr.Uday Kumar, Advocate
For the State	:	Mrs.Pushpa Sinha, APP
For opposite party No.2	:	Mr.Santosh Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-10-2021 Heard learned counsel for the petitioner, learned APP

for the State and learned counsel for the opposite party No.2

through virtual mode.

The petitioner is apprehending his arrest in connection
with Tr. No.3125 of 2019 arising out of Complaint case No.
C1/1013 of 2018 registered under Sections 498A, 34 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 and learned counsel for the opposite party No.2, 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 S.D.J.M., Pupri at Sitamarhi in connection with Tr. No.3125/2019 arising out of Complaint case No.C1/1013 of 2018, 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/-

U		T	
---	--	---	--

