

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20511 of 2020

Arising Out of PS. Case No.-40 Year-2019 Thana- MAHILA P.S. District- Saran

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AMIT KUMAR JHA Son of Sanjay Kumar Jha Resident of Village - Uttari Kasraur, P.S.- Ghanshyampur (Wrongly mentioned as Vibhutipur in the FIR), District- Darbhanga. At present - 120 Bela Bagan, Backside of Durgabadi, P.S.- Devghar, District- Devghar, Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priya Pandey Daughter of Prabhu Nath Pandey R/V- Banwari Amnaur, P.S.- Ekma, District- Saran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Kundan Kumar
For the Opposite Party/s	:	Mr.Rabindra Kumar
For O.P. No. 2	:	Mr. Nalin Vilochan Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-03-2021 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 498-A, ,504,, 506, 34 of the Indian Penal Code and 3 and 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 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 both the parties, it is submitted that a mutual settlement has been made and they are ready to stay together.

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 six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Chapra, Saran in connection with Mahila P.S. Case No. 40/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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