

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20206 of 2020

Arising Out of PS. Case No.-226 Year-2019 Thana- BELA District- Sitamarhi

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KISHAN KUMAR @ KRISHAN KUMAR Son of Upendra Chaudhary
Resident of Nocha, Ward No. 10, P.S.- Bela Distt - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sudha Devi w/o Kishan Kumar, D/o Jagarnath Chaudhary, R/o Mahuaba,
P.S. Bathanaha, Dist. Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr.Hans Lal Kumar, Advocate
For the State : Mr.Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 09-04-2021 The matter was referred to the Patna High Court,
Mediation Centre, but the report is awaited.

Counsel for the petitioner submits that due to COVID-19
Pandemic, the Mediation Centre at the Patna High Court is not
functioning. Hence it is not possible to get the matter mediated
between the parties in the present situation. Hence the application for
anticipatory bail of the petitioner be heard on merit.

None appears on behalf of the opposite party No.2.

Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

The petitioner is apprehending his arrest in a case registered
under Sections 341, 323, 379, 504, 498A/34 of the Indian Penal Code
and ³/₄ of Dowry Prohibition Act.

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 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 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 Chief Judicial Magistrate, Sitamarhi in connection with Bela P.S. case No.226 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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