

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31821 of 2021

Arising Out of PS. Case No.-685 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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Ajay Kumar Singh (Male), aged about 30 years, Son Of Shambhu Singh, R/O
Village- Jamunapur, P.S.- Gaurichak, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar.
2. Gauri Devi, Wife Of Ajay Kumar Singh, D/O- Bablu Singh R/O Village-
Rajopur, P.S.- Bind, District- Nalanda. address of Sasural- Resident Of
Village- Jamunapur, P.S.- Guarichak, District- Patna. At Present- Resident
Of Village- Naya Tola- Madhopur, P.S.- Bakhitiyarpur, District- Patna.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Arjun Prasad, Advocate.
For the O.P. No. 2	:	Mr. Shyam Kumar Singh, Advocate.
For the State	:	Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-08-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner, learned
counsel for the opposite party no. 2 and learned A.P.P. for the
State through Virtual mode.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 685(C)/2019 for the offence registered
under Sections 498(A) of the I.P.C. and 3/4 of the D.P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-



fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. On the earlier occasion also, the complainant had filed a complaint case against the petitioner for the similar offence which was dismissed without taking cognizance. The petitioner is the husband of the victim. The case is triable by the Magistrate. The petitioner has further 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 learned counsels for the State and the opposite party no.2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances of the case, 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 the learned S.D.J.M., Barh,



Patna, in connection with Complaint Case No. 685 (C)/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only 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. In case, any such application is made by either of the parties, the court below shall refer the matter to the District Mediation Centre.

The opposite party no. 2 will be at liberty to make an application before the concerned Family Court for the purpose of maintenance, if so advised.

(Sudhir Singh, J)

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