

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35935 of 2021

Arising Out of PS. Case No.-6 Year-2021 Thana- MAHILA P.S. District- Rohtas

CHANDAN KUMAR Son of Gauri Shankar Prasad Resident of Village -
Deokund, P.S.- Deokund, District - Aurangabad, State - Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushbu Kumari Wife of Chandan Kumar Daughter of Ashok Kumar,
Resident of Village - Natvar, P.O. - Natvar, P.S. - Natvar, District - Rohtas.
At present Residing at village - Deokund, P.O. - Rampur Chai, P.S.-
Deokund, District - Aurangabad, State - Bihar - 804428.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kuldeep Kumar
For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in a case
registered under Sections 376, 498A, 504, 506 of the Indian
Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of demand of
dowry and thereafter accused persons forcibly made physical
relationship with the informant.



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 matter has already been compromised between the parties. The said compromise petition is Annexure-2 to the present application. 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, the petitioner, above named, in the event of arrest/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 Chief Judicial Magistrate, Sasaram, Rohtas in connection with Mahila P.S. Case No. 06/2021, 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) 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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