

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33784 of 2021

Arising Out of PS. Case No.-455 Year-2019 Thana- NATHNAGAR District- Bhagalpur

NIRALA KUMAR @ SACHIN S/o Late Raghubir Sharan Resident of
Lohianagar, P.S.- Town (Lohianagar O.P.), District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bhanu Priya W/o Nirala Kumar @ Sacvhin, D/o Mukund Kumar Lal R/o village and P.S.- Madhusudanpur, District- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Binod Kumar
For the Opposite Party/s	:	Mr. Matloob Rab, APP
for the Informant	:	Mr. Praveen Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-08-2021 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 341, 323, 506, 504, 498A, 34 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.

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 the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances and also the lockdown, 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 Judicial Magistrate, 1st Class, Bhagalpur in connection with Nathnagar Madhusudanpur P.S. Case No. 455/2019, 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) 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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