

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25112 of 2019**

Arising Out of PS. Case No.-639 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

Subodh Kumar, Son of late Jhagaru Sah, Resident of Village Malkauli, P.S. Bagaha, District West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Soni Devi, W/o Subodh Kumar, D/o Nand Kishore Sah, Resident of Village Malkauli, P.S. Bagaha, District East Champaran.
At Present Resident of Village Harpur, P.S. Shikarpur, District West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Prithvi Nath Mishra, Advocate
For the Opposite Party/s :	Mr. Shailendra Kumar
	Mr. Arbind Kumar Singh
	Mr. Manaur Alam
	Mr. Uma Shankar Singh
	Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

8 13-12-2021 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in a case registered under Section 498A of the Indian Penal Code and Section 4 of the 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 there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present 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.

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 twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Complaint Case No.639C/2017 (Trial No. S.C.1176/2019), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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.

(Anjani Kumar Sharan, J.)

Sanjay/-

U		T	
---	--	---	--

