

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30014 of 2020

Arising Out of PS. Case No.-355 Year-2018 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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BINAY KRISHNA MUNNA @ BINAY KUMAR MUNNA S/o Late Subodh
Sah Resident of Village-Pochouth, P.S.-Beldour, District-Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neetu Kumari D/o Kapildeo Prasad Sah, W/o Binay Krishna Munna @
Binay Kumar Munna Resident of Village-Madhepura 6/14, P.S. and District-
Madhepura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Alok Kumar Singh
For the Opposite Party/s	:	Mr. N.. N. Tiwary, APP
For the O.P. No. 2	:	Mr. B.J. Jha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 07-07-2021 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 498A and 494 of the Indian Penal
Code.

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 and the informant, it is submitted that the petitioner is named in the Complaint Case

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 Chief Judicial Magistrate, Madhepura in connection with Complaint Case No. 355/2018, 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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