

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31078 of 2020**

Arising Out of PS. Case No.-9 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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SUMIT KUMAR Son of Sri Niwas Pandey Resident of Village- B.B. Ganj,
P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Vijay Kumar @ Vijay Kr. Singh
For the Opposite Party/s	:	Mr. Prem Kumar Jha, APP
For O.P. No. 2	:	Mr. Alok Kumar Alok

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 01-09-2021 Heard learned counsel for the petitioner, learned APP

for the State and learned counsel for O.P. No. 2 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/379 of the Indian Penal Code

and 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 and O.P. No. 2, it is submitted that the petitioner is named in the 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, Muzaffarpur in connection with Muzaffarpur Sadar P.S. Case No. 09/2020, 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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