

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34206 of 2020

Arising Out of PS. Case No.-2435 Year-2015 Thana- SIWAN COMPLAINT CASE District-
Siwan

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GOVIND KUMAR @ GOVIND YADAV Son of AWADHESH YADAV
Resident of Village - Jogapur, P.S.- Salempur, Distt.- Dewaria (U.P.)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. ASHMITA DEVI W/o Govind Kumar @ Govind Yadav Resident of Village
- Jogapur P.O.- Sohmag, P.S.- Salempur, Distt.- Dewaria (U.P.), At Present
Ramaji Yadav, R/o Fazilpur (Dudhi Tola), P.S.- Aasab Distt.- Siwan/

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-03-2021 Learned counsel for the petitioner is directed to remove

the defects, as pointed out by the Office, within a period of four

weeks.

Heard learned counsel for the petitioner and learned APP

for the State.

The petitioner is apprehending his arrest in a case registered

under Section 498A 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, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

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 six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Siwan in connection with Complaint Case No. 2435 of 2015, 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.

(Sudhir Singh, J)

Pankaj/-

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