

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.35277 of 2020

Arising Out of PS. Case No.-2276 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Anirudh Mahato son of Manager Mahato resident of village- Basawariya,
Police Station- Lauria, District- West Champaran

... .. Petitioner/s

Versus

1. The state of Bihar
2. Nibha Devi wife of Anirudh Mahato daughter of Inarmal Mahato, resident of village- Basawariya, police Station- Lauria, District- West Champaran, at present resident of village- Garbhua Dhokanpur, P.o.- Turhapatti, Police Station- Chanpatia (Sirisiya O.P.), District- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai
For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 19-03-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

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 petitioner is husband of the victim. The petitioner undertakes that he will cooperate during trial. 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 of the case, let the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Shri Raj Kapoor, learned Judicial Magistrate-Ist Class, Bettiah, West Champaran in connection with Complaint Case No. 1994C of 2018 corresponding to Trial No. 9395 of 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.

(Sudhir Singh, J)

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