

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48458 of 2021

Arising Out of PS. Case No.-32 Year-2019 Thana- MAHILA P.S. District- Madhubani

ANIL MUKHIYA @ ANIL KUMAR MUKHIYA Son of Govind Mukhiya
Resident of Village - Bhirahar, Tole Khikhari, P.S. - Ghoghardiha, District -
Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saraswati Devi Wife of Anil Mukhiya, Daughter of Ram Sundar Mukhiya
Resident of Birol Tole Mahdeva, P.S. - Ghoghardiha, District - Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13
For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-10-2021 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 eight weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 323, 341, 498A/34 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, 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.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Madhubani in connection with Madhubani Mahila P.S. Case No. 32 of 2019 giving rise to C.R.I. No. 696 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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