

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52224 of 2021

Arising Out of PS. Case No.-288 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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RAJESHWAR SAH @ RAJESH SAH S/o Sikandar Sah R/o village-
Nimoiya, P.S.- Ghorasahan, District- East Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. GEETA DEVI W/o Rajeshwar Sah @ Rajesh Sah R/o village- Nimoiya,
P.S.- Ghorasahan, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Sunil Kumar No.III, Advocate
For the State	:	Mr.Bishweshwar Ram, APP

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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.

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

The petitioner is apprehending his arrest in connection
with Trial No.647/2020 arising out of Complaint case
No.288/2019 registered under Sections 498A, 494 of the Indian
Penal Code.

Allegation against the petitioner is of committing
torture upon the victim due to non-fulfilment of demand of
dowry.



It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The case is triable by the Magistrate. On the earlier occasion also, a case of similar offence was instituted by the complainant against the petitioner. 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 facts and circumstances of the case, the petitioner, above named, in the event of arrest or 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/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 3rd, Sikrahana at Dhaka, East Champaran in connection with Complaint case No.288 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. In case, any such application is made by either of the parties, the court below shall refer the matter to the District Mediation Centre.

(Sudhir Singh, J)

Narendra/-

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