

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56872 of 2021

Arising Out of PS. Case No.-398 Year-2020 Thana- ARA NAGAR District- Bhojpur

AMITABH KESHAW S/o- KESHAW PRASAD SRIVASTAVA Resident of
Mohalla- Mahatma Gandhi Nagar, House No.357/16/66 Kanti Factory, Patna,
P.S.- Agamkuan, District- Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. NEHA KUMARI SRIVASTAV W/o Amitabh Keshaw, D/o Krishna Kumar
Srivastav Resident of Village- Mohalla- Mahajan Toli No.1, Ara, P.S. Nagar
Thana, District- Bhojpur at Ara

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dr. Satyendra Kumar Srivastava
For the Opposite Party/s	:	Mr. Uday Chand Prasad
For the informant	:	Mr. Surendra Mishra, Adv. Mr. Dineshwar Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-11-2021 Heard learned counsel for the petitioner and the State.

Learned 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 a case
registered under Sections 323, 341 and 498A/34 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. All the offences are 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 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Ara in connection with Ara Town P.S. Case No. 398 of 2020 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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