

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56880 of 2021

Arising Out of PS. Case No.-865 Year-2020 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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NAND KISHOR KUMAR S/o RAJ VANSHI MAHTO R/o VILLAGE-DHUM NAGAR, KACHA HARI TOLA, P.S.-NAUTAN, DISTRICT- WEST CHAMPARAN.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. URMILA DEVI W/o NAND KISHOR KUMAR, D/o GOPAL SINGH AT PRESENT R/o VILLAGE-NAYA TOLA, TURKAULIYA, P.S.-TURKAULIYA, DISTRICT-EAST CHAMPARAN.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar
For the Opposite Party/s : Mr.Pronoti Singh

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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, 498A/504 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, Motihari, East Champaran in connection with Tr. No. 678 of 2020 arising out of Complaint Case No. 865 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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