

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53679 of 2021**

Arising Out of PS. Case No.-4 Year-2021 Thana- MAHILA THANA District- Begusarai

JAGAT KUMAR Son of Late Prithvynath Ram @ Prithvynath Ram @ Late Prithvinath Ram Resident of Village- Saraiya, P.S.- Husainganj, District- Siwan. At presently residing at Quarter No. E2/52, Barauni Refinery Township, P.S.- Begusarai Town, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nirmala Devi Wife of Jagat Kumar, Daughter of - Late Madan Das At Present residing at 31 (2), Power House, Ward No. 10, Manikpur, Hajiyapur, P.S.- Gopalganj, District- Gopalganj (Bihar), PIN- 841428.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sandip Kumar Gautam  
For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      01-11-2021                      Heard learned counsel for the petitioner and learned  
APP for the State.

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, 504, 498(A) 313 of the Indian Penal Code and <sup>3</sup>/<sub>4</sub> 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 there is no allegation of tampering of witnesses alleged against the petitioner. On the earlier occasion also, the victim and her family members have instituted case for similar offence against the petitioner and his family members. The petitioner has falsely been implicated in the present case due to petty family dispute. There is no medical evidence in respect of the offence under section 313 IPC. Rest of 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, 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., Begusarai in connection with Begusarai Mahila P.S. Case No. 04 of 2021, 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)**

Pankaj/-

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