

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.363 of 2021

Arising Out of PS. Case No.-593 Year-2019 Thana- MAHUA District- Vaishali

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DHIRAJ KUMAR SAH, (Male), aged about 34 years, Son of Raghunath Sah,
Resident of Village- Vishunpur Bejha, P.S.- Mahua, Distt.- Vaishali.

... .. Petitioner

Versus

1. The State of Bihar.
2. Sitara Devi, W/o Dhiraj Kumar Sah, Resident of Village - Vishunpur Bejha,
P.S.- Mahua, Distt.- Vaishali. Present Address- Sitara Devi, W/o Dhiraj
Kumar Sah, D/o Duvesh Sah, R/o Village-Ratanpura, P.S.- Bhagwanpur,
Dist.- Vaishali.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Manish Chandra Gandhi, Advocate.
For the State	:	Mr. A.G.
For the O.P. No. 2	:	Mrs. Bela Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-04-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of four weeks.

Heard learned counsel for the petitioner, learned
counsel for the opposite party no. 2 and learned A.P.P. for the
State through Virtual mode.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A)/34 of the IPC and
¾ of the D. P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-



fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is the husband of the victim. The case is triable by the Magistrate. The petitioner has further 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur, in connection with Mahua P.S. Case No. 593/2019, 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.

The opposite party no. 2 will be at liberty to make an application before the concerned Family Court for the purpose of maintenance, if so advised.

(Sudhir Singh, J)

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