

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55023 of 2021

Arising Out of PS. Case No.-2270 Year-2019 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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CHANDRA BHUSHAN MISHRA Son of Late Rajendra Mishra Resident of
Village- Mishrauli, Post- Belahi Khas, P.S.- Kateya, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Shushma Tripathi Daughter of Radhakant Tripathi, Wife of Chandra Bhushan Mishra R/o Misrauli, Post- Belahi Khas, P.S.- Kateya, District- Gopalganj, at present Mishrauli, Post- Dumbaliya, P.S.- Kotwali, Salempur, Dist- Deoriya (U.P.)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhramveer
For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-10-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

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 Complaint
Case No. 2270 of 2019 in which cognizance has been taken
under Section 498A 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 case is 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.

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 Judicial Magistrate, 1st Class, Gopalganj in connection with Complaint Case No. 2270 of 2019, Trial No. 2573 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)

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