

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5142 of 2021**

Arising Out of PS. Case No.-492 Year-2019 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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ARVIND KUMAR @ ARVIND KUMAR GUPTA S/o Niraj Kumar Gupta
R/o village, Post and P.S.- Beldaur, District- Khagaria

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Pooja Kumari W/o Arvind Kumar @ Arvind Kumar Gupta, D/o Late Ramjee Prasad Sah R/o village, Post and P.S.- Beldaur, District- Khagaria, D/o Late Ramjee Prasad Sah, Village- Dholi, P.S.- Banma, At present residing at Jamco, P.S.- Telco, District- East Singhbhum, Jharkhand-Complainant

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhav Roy
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-04-2021 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 defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code and ¾
of Dowry Prohibition Act.

Allegation against the petitioner is of committing
torture upon the victim due to non-fulfilment 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. 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/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 six 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., Saharsa in connection with Complaint case No.492C of 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.

(Sudhir Singh, J)

Narendra/-

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