

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57338 of 2021

Arising Out of PS. Case No.-2585 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

=====

SANTOSH RAI @ SANTOSH KUMAR YADAV @ KRISHNA YADAV S/o
LATE MAHENDRA RAI @ MAHENDRA YADAV R/o VILLAGE-
JOGAULIYA TOLA NANKAR, P.S-MADHUBAN, DISTRICT-EAST
CHAMPARAN.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. ANITA DEVI D/o MOHAN RAI R/o VILLAGE-RAGHUNATHPUR, P.S-
KESARIYA, DISTRICT-EAST CHAMPARAN.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar
For the Opposite Party/s	:	Mr.Kalyan Shankar
For the informant	:	Mr. Karandeep Kumar, Adv.

=====

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 and 498A/34 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 Judicial Magistrate-Ist Class, Motihari, East Champaran in connection with Complaint Case No. C-2585 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.

(Sudhir Singh, J)

A.K.V.//-

U		T	
---	--	---	--

