

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4134 of 2021

Arising Out of PS. Case No.-763 Year-2019 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Amitabh Kumar Tiwari Son Of Late Shyam Sundar Tiwari Resident Of
Village-Jamuaon Bhabua, Ward No.-13, P.S- Bhabua, District-Kaimur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ragini Devi Wife Of Amitabh Kumar Tiwari Resident Of Village- Jamuaon,
Ward No.-13, District- Kaimur(Bhabua), At Present Resident Of Village-
Kurasan, P.S- Bhabua, District-Kaimur(Bhabua)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raju Kumar
For the Opposite Party/s : Mr. N. Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-04-2021 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 defects, as pointed out by the Office, within a period
of four weeks.

The petitioner is apprehending his arrest in a case 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/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 Chief Judicial Magistrate, Kaimur at Bhabua in connection with Complaint Case No. 763/2019, 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)

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