

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59809 of 2021

Arising Out of PS. Case No.-736 Year-2020 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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1. Lavkush Bind, aged about 23 years (Male), Son of Ganesh Bind, Resident of Village-Betari, P.S.- Bhabua, District - Kaimur at Bhabua.
 2. Ganesh Bind, aged about 50 years (Male), Son of Late Ram Brichh Bind, Resident of Village-Betari, P.S.- Bhabua, District - Kaimur at Bhabua.

... .. Petitioners

Versus

1. The State of Bihar.
2. Anita Devi, Wife of Lavkush Bind, D/o Mahendra Bind at present Address village-Sarayan, P.O.- Darwan, P.S.- Ramgarh, District - Kaimur at Bhabua.

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Pawan Kumar Singh, Advocate
For the State	:	Mr. Md. Shakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-11-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners are apprehending their arrest in connection with Complaint Case No. 736/2020 in which cognizance has been taken under Sections 498(A) of the I.P.C. and $\frac{3}{4}$ of the D.P. Act.

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



fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. They have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioner no. 1 is the husband and petitioner no. 2 is the father-in-law of the victim. The case is triable by the Magistrate. The petitioners have 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 counsel for the State, it has been submitted that the petitioners are named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances of the case, let the petitioners 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 bonds of Rs. 10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Bhabua (Kaimur), in connection with Complaint Case No. 736/2020, subject to the conditions as laid



down under Section 438(2) of the Code of Criminal Procedure.

If so advised, petitioner no. 1 and opposite party no. 2 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)

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