

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7602 of 2021

Arising Out of PS. Case No.-1174 Year-2019 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Dhaneshwar Paswan S/O Late Fakira Paswan Resident Of Village Nainha Ps
Sadar Hajipur District-Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Asha Devi W/O Dhaneshwar Paswan Resident Of Village-Nainha, P.S-Sadar
Hajipur, District-Vaishali. At Present D/O Sri Jagdhar Paswan Resident Of
Village Chehara Khurd Ps Goroil Dist Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1, Advocate
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-06-2021 Heard learned counsel for the petitioner and learned

APP for the State through virtual mode.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks from the date of restoration of normalcy.

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

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 facts and circumstances of the case and also the lockdown, 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 his personal bond to the satisfaction of learned Additional Chief Judicial Magistrate IV, Vaishali in connection with Complaint case No.1174 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

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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