

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61815 of 2021

Arising Out of PS. Case No.-1250 Year-2019 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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SUNIL KUMAR @ SUNIL KUMAR SAH @ SUNIL SAH, aged about 30 years, Gender-Male, Son of Late Naresh Sah, Resident of Village - Priyanagar, Ward No. 2, P.O. - Sugma, P.S. - Salkhua, District - Saharsa.

... .. Petitioner

Versus

1. The State of Bihar.
2. Kanchan Kumari, Wife of Sunil Kumar @ Sunil Kumar Sah @ Sunil Sah, Daughter of Domi Sah, Resident of Village - Priyanagar, Ward No. 2, P.O. - Sugma, P.S. - Salkhua, District - Saharsa at present residing at Village - Jalaiya Pastpar, P.S. - Sour Bazar, Dist. - Saharsa.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Binod Kumar Sinha, Advocate
For the State	:	Mr. Indu Kumari Srivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

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

The petitioner is apprehending his arrest in connection with Complaint Case No. 1250C/2019 for the offence registered under Sections 498(A) and 494 of the I.P.C.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry.



It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is the husband of the victim. The case is triable by the Magistrate. The petitioner has 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 petitioner is named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances of the case, let 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 bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Saharsa, in connection with Complaint Case No. 1250C/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)

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