

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65587 of 2021

Arising Out of PS. Case No.-3101 Year-2019 Thana- VAISALI COMPLAINT CASE
District- Vaishali

VINAY KUMAR SHARMA Son of Late Hem Narayan Sharma Resident of Village - Mafi, P.S.- Daudanpur (Daudpur), District - Saran at Chapra (Bihar), Presently Residing at Care of Sri Kant Pandey, Mohalla - Vishwanathpuri, Mithansarai Road, Lolhua Paigambarpur, P.S.- Ahiyapur, District - Muzaffarpur (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Swastika Sinha Wife of Vinay Kumar Sharma Daughter of Kedarnath Sinha, Resident of Mohalla - Aadarsh Gram Road No.- 01, P.S.- Ahiyapur, District - Muzaffarpur at Present Residing at Village and P.O.- Kalyanpur, P.S.- Bidupur, District - Vaishali (Bihar).

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Rakesh Kumar, Advocate
For the State	:	Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

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 connection with Complaint case No. C-1-3101 of 2019 registered under Sections 498A, 418 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, 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 learned Additional Chief Judicial Magistrate XVIth, Vaishali at Hajipur in connection with Complaint case No. C-1-3101 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. 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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