

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53658 of 2019

Arising Out of PS. Case No.-119 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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MUKESH KUMAR S/o Mahendra Ram R/o village- Andhra Pakahi, P.S.-
Adapur, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suman Kumari D/o Tulsi Ram R/o village- Pipra, P.S.- Darpa, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Umesh Chandra Verma
For the Opposite Party/s	:	Mr.Choubey Jawahar, APP
For O.P. No. 2	:	Mr. Umesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

9 13-09-2021 Heard learned counsel for the petitioner, learned

APP for the State and learned counsel for the O.P. No. 2

through virtual mode.

The petitioner is apprehending his arrest in a case
registered under Sections 323, 498(A)/34 of the Indian Penal
Code and ³/₄ of Dowry Prohibition Act.

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 and O.P. No. 2, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the petitioner, above named, in the event of arrest/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 S.D.J.M., Raxaul, Motihari, East Champaran in connection with Trial No. 2630 of 2019 arising out of Complaint Case No. C-119 of 2018, 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.

(Sudhir Singh, J)

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