

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57998 of 2019

Arising Out of PS. Case No.-1123 Year-2015 Thana- PATNA COMPLAINT CASE District-
Patna

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AVINASH KUMAR SINGH Son of Chandeshwar Prasad Singh Resident of
Village-Gonariya, P.S.-Maner, District-Patna, at present residing at quarter no.
177/15, Awas Vikas Colony, Barabanki, P.S.-Barabanki, District-Barabanki
(U.P.).

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Suman Kumari W/o Avinash Kumar Singh, D/o Hemchandra Rai R/o
Village and P.O.- Kamla Gopalpur, P.S.- Maner, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Kumar
For the Opposite Party/s : Mr. N. N. Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 31-08-2021 Heard learned counsel for the petitioner and learned

APP for the State through virtual mode.

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-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, it is submitted that the petitioner is named in the Complaint Case.

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 Judicial Magistrate, 1st Class at Danapur, Patna in connection with Complaint Case No. 1123(C) of 2015, 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)

Pankaj/-

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