

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75279 of 2019

Arising Out of PS. Case No.-594 Year-2016 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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SHAMBHU KUMAR Son of Rajeshwar Yadav Resident of Village- Harsher
Nunukala, P.O.- Jagnathpur, P.S.- Biraul, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Heera Kumari Wife of Shambhu Kumar Resident of Village- Harsher
Nunukala, P.O.- Jagnathpur, P.S.- Biraul, District- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Pramod Kumar Singh
For the State	:	Mr.Prem Kumar Jha, APP
For the Opposite Party	:	Mr. Jitendra Narayan Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 25-03-2021 Heard learned counsel for the petitioner and 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 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 petitioner is
husband of the victim. The petitioner undertakes that he will
cooperate during trial. 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 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 six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Rosera, Samastipur in connection with Complaint Case No. 594 of 2016 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.

(Sudhir Singh, J)

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