

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66059 of 2019**

Arising Out of PS. Case No.-1810 Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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RAJESH THAKUR @ RAJESH KUMAR Son of Ratneshwar Thakur
Resident of Village - Bishanpur, P.S. - Town, District - Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari Wife of Rajesh Thakur @ Rajesh Kumar Resident of Village - Bishnupur, P.S. - Town, District - Begusarai, D/o Sunil Kumar Jha, R/o.- Shahpur Diyara, P.S.- Balia, District - Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Shree Niwas Singh, Advocate
For the State	:	Mr.Bal Mukund Prasad Sinha, APP
For opposite party No.2	:	Mr.Kamya Nand Sharma, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

7 31-08-2021 Heard learned counsel for the petitioner, learned APP

for the State and learned counsel for the opposite party No.2

through virtual mode.

The matter was referred to the Mediation Centre,
Patna High Court by order dated 04.03.2020 by a Co-ordinate
Bench of this Court, but due to covid lockdown, the mediation
could not take place.

The petitioner is apprehending his arrest in connection
with Complaint case No.1810C of 2018 registered under
Sections 498A, 323 of the Indian Penal Code and 4 of Dowry
Prohibition Act.



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 and learned counsel for the opposite party No.2, 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 his personal bond to the satisfaction of learned S.D.J.M., Begusarai in connection with Begusarai Complaint case No.1810C 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. 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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