

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63666 of 2019

Arising Out of PS. Case No.-721 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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DHARMENDRA RAUNIYAR @ DHARMENDRA @ DHARMENDRA
RAUNIYAR Son of Jawahar Runiyar @ Jawahir Rauniyar, Resident of
Village - Devipur, Yogi Tola, P.S.- Dhanha, Distt.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Radhika Devi W/o Dharmendra Rauniyar @ Dharmendra @ Dharmendra
Rauniyar, Resident of Village - Devipur, Yogi Tola, P.S.- Dhanaha, Distt.-
West Champaran at Present D/o Bikau Rauniyar, R/o Vill- Jataha Bazar,
P.S.- Jataha, Dist.- Kushi Nagar (U.P.)

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Vijay Kr Singh No. 1, Advocate
For the State	:	Mr.Prem Kumar Jha, APP
For opposite party No.2	:	Mr.Binod Kumar Yadav, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

5 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 petitioner was granted provisional anticipatory
bail by order dated 23.10.2019 by a Co-ordinate Bench of this
Court, in connection with Trial No.3324 of 2019 arising out of
Complaint case No.721 of 2018 pending in the court of
A.C.J.M. 1st, Bagaha, West Champaran.

Allegation against the petitioner is of committing
torture and assault 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. There is no medical examination report on record to support the allegation for offense under Section 307 of I.P.C. Cognizance has been taken under Section 498(A), 323 and 504/34 of I.P.C. The offences are 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. It has further been submitted that the petitioner and the opposite party No.2 are residing together. The matter has been reconciled between them.

On behalf of the State and 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 provisional anticipatory bail granted to the petitioner by order dated 23.10.2019 is, hereby, confirmed.

Narendra/-

(Sudhir Singh, J)

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