

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72435 of 2019**

Arising Out of PS. Case No.-43 Year-2019 Thana- HASANPUR District- Samastipur

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SURAJ KUMAR SINGH Son of Vijay Kumar Singh @ Vijay Prasad Singh  
Resident of Village - Atapur, P.S.- Hasanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Mira Kumari

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

4      22-11-2021                      Heard the learned counsel for the petitioner and the  
  
State.

The present application is pending since 13-11-2019.  
  
By order dated 06-03-2020 passed by a coordinate Bench of this  
court, notice was issued upon the O.P. No. 2. As per office note  
dated 03-11-2021, the O.P. No. 2 has received the notice but no  
one appears on behalf of O.P. No. 2.

Counsel for the petitioner submits that let this  
application be disposed of on merit since this case has been  
pending for approximately two years.

The petitioner is apprehending his arrest in a case  
registered under Sections 323, 341, 498A, 504/506 of the Indian  
Penal Code and  $\frac{3}{4}$  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 petitioner is husband of the victim. All 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.

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, 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 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 Hasanpur P.S. Case No. 43 of 2019 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)**

A.K.V.//-

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