

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75886 of 2019

Arising Out of PS. Case No.-2463 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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RAVI SHANKAR BAITHA S/o Jageshwar Baitha R/o village- Adiya, P.S.-
Kotwa, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Juli Raj R/o village- Babu Tola, Banjariya, P.S.- Banjariya, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr.Umesh Chandra Verma, Advocate
For the State : Mr.Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 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 connection
with Trial No.2424 of 2019 arising out of Complaint case No.
C-2463 of 2018 registered under Section 498A of the Indian
Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

By order dated 06.02.2020, notice was issued upon
the opposite party No.2. As per the office note dated 07.08.2021,
valid service has been made upon the opposite party No.2.

None appears on behalf of the opposite party No.2.

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, 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 Sub Divisional Judicial Magistrate, Sadar, Motihari, East Champaran in connection with Trial No.2424 of 2019 arising out of Complaint case No. C-2463 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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