

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75056 of 2019

Arising Out of PS. Case No.-591 Year-2019 Thana- MADHAURAH District- Saran

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SHASHANK @ SHASHANK BIMAL @ SHASHANK VIMAL Son of Sri
Bhupesh Bhim Resident of Village - Shilhauri, P.S. - Marhawrrah, District -
Saran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR

2. Sarita Kumari, D/o Basudeo Rai, R/o Bara Telpa, P.O. Chapra, P.S. Chapra
Town, District-Chapra

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Sanjay Kumar Jha, Advocate
For the State	:	Mrs.Pushpa Sinha 1, APP
For opposite party No.2	:	Mr.Nawal Kishore Singh, 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 06.03.2020 by a Co-ordinate Bench of this
Court.

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.

The matter was referred to the Mediation and Reconciliation Centre of the Patna High Court by order dated 06.03.2020, but due to covid lockdown mediation could not take place.

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 provisional anticipatory bail granted to the petitioner by order dated 06.03.2020 is, hereby, confirmed, in connection with Marhawrrah P.S. case No.591 of 2019, pending in the court of Chief Judicial Magistrate, Chapra.

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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