

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75903 of 2019

Arising Out of PS. Case No.-44 Year-2019 Thana- MAHILA P.S. District- Saharsa

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KISHOR KUMAR @ KISHORE KUMAR Son of Madan Mohan Jha
Resident of Village-Bangaon North, Police Station-Bangaon, District-Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Urvashi Kumari Daughter of Amrendra Khan, Wife of Kishore Kumar
Resident of Village-Bangaon South, Police Station-Bangaon, District-
Saharsa, Matrimonial Residence-Bangaon North, Police Station-Bangaon,
District-Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar
For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-09-2021 Heard learned counsel for the petitioner and learned APP
for the State.

The matter has been pending since 2019. Hence, the
petitioner presses that let the order be passed on merit.

The petitioner is apprehending his arrest in a case
registered under Sections 498A, 323, 379, 504, 506 and 34 of the
Indian Penal Code.

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 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 aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Mahila P.S. Case No. 44/2019, 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)

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