

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80963 of 2019

Arising Out of PS. Case No.-2153 Year-2015 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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HITESH KUMAR Son of Laxman Prasad Chaurasia Resident of Village -
Harda Bazar, P.S.- K.Hat Purnia, District- Purnia

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Lata Devi Wife of Hitesh Kumar, Daughter of Shri Ramesh Kumar Mandal
Resident of Village- Tarawa, P.S.- Pirpanti, District- Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Pravin Kumar Sinha
For the Opposite Party/s	:	Mr.Murli Dhar
For O.P. No. 2	:	Mr. Manoj Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 31-08-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

By order dated 24-02-2020, the matter was referred
to the Mediation Centre but due to covid lockdown, the
mediation could not take place.

Subsequently, during pendency of this application,
some dispute between the parties has again arisen.

The petitioner is apprehending his arrest in Complaint
Case No. 2153 of 2015 registered under Sections 147, 341, 323,
504, 498(A)/379 of the Indian Penal Code and 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. 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 his personal bond to the satisfaction of learned Sub Divisional Judicial Magistrate, Bhagalpur in connection with Complaint Case No. 2153 of 2015 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.

(Sudhir Singh, J)

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