

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82289 of 2019

Arising Out of PS. Case No.-2383 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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CHHOTU @ RAUSHAN SINGH @ RAUSHAN S/o Ram Niwas Singh R/o
village- Mathiya Fulwar, P.S.- Lakhaura, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sima Devi D/o Munna Singh R/o village- Gaighat, Ghatuli, P.S.- Harsidhi,
District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 31-08-2021 Heard learned counsel for the petitioner, the opposite
party No. 2 and the State through virtual mode.

By order dated 17-02-2020, the matter was referred
to the Mediation Centre but due to covid lockdown, the
mediation could not take place.

Learned counsel for the petitioner makes prayer to
pass order on merit.

The petitioner is apprehending his arrest in Trial No. 2071
of 2018 arising out of Complaint Case No. C-2383 of 2017
registered under Section 498A 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 offences are triable by 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 his personal bond to the satisfaction of learned Sub Divisional Judicial Magistrate, Sadar, Motihari, East Champaran in connection with Trial No. 2071 of 2018 arising out of Complaint Case No. C-2383 of 2017 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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