

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83119 of 2019

Arising Out of PS. Case No.-104 Year-2019 Thana- BAJPATI District- Sitamarhi

Bharat Rai Son of Pritam Rai Resident of Village - Basotara, P.S.- Choraut (pupri), Distt.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rachana Kumari W/o Bharat Rai Resident of Village - Basotara, P.S.- Choraut (Pupri), Distt.- Sitamarhi, at Present D/o Satyendra Rai, Resident of Village - Pipradhi, P.S.- Bajpatti, Distt.- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 16-11-2021 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323 and 498A/34 of the Indian Penal Code as well as $\frac{3}{4}$ 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. All the offences are 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 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 furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Pupri, Sitamarhi in connection with Bajpatti P.S. Case No. 104 of 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)

A.K.V.//-

U		T	
---	--	---	--

