

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.859 of 2020

Arising Out of PS. Case No.-86 Year-2019 Thana- MADHUBAN District- East Champaran

ROHIT RAJ @ SONU KUMAR Son of Ajay Yadav Resident of Village -
Chintawanpur, P.S.- Mehshi, Distt.- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rinku Kumari D/o Sri Ram Rai Resident of Village - and Post - Dulma, Via
Madhuban, Distt.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar
For the State	:	Mr.Kalyan Shankar, APP
For the informant	:	Mr. Rajesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-11-2021 Heard the learned counsel for the petitioner and the State.

The present application is pending since 09-01-2020. By order dated 25-02-2020 passed by a coordinate Bench of this court, the matter was referred to the Mediation Centre, Patna High Court. Due to Covid-19 pandemic, the Mediation Centre, was not functioned and therefore the report of mediator could not be received.

Counsel for the petitioner submits that let this application be disposed of on merit since this case has been pending for approximately two years.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 504, 506/34 of the Indian Penal



Code and $\frac{3}{4}$ 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 Additional Chief Judicial Magistrate-IV, Motihari, East Champaran in connection with Madhuban P.S. Case No. 86 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)

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