

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9749 of 2022

Arising Out of PS. Case No.-561 Year-2020 Thana- MAHUA District- Vaishali

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ARJUN KUMAR SINGH SON OF VISHUNLAL SINGH R/O VILLAGE-
MEGHPUR SINGHARA, P.S.- MAHUA, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

1. The State of Bihar
2. NEELAM DEVI WIFE OF ARJUN KUMAR SINGH, D/O- SITA RAM SINGH R/O VILLAGE- ARNIYA, P.S.- JANADAHA, DISTRICT- VAISHALI

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Singh, Advocate.
For the Opposite Party No. 2	:	Mr. Anuj Kumar Shrivastava, APP
		Mr. Subodh Kumar, Jha
		Mr. Pranav Kumar Jha, Advocates.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-04-2022 Heard learned counsel for the petitioner and the State through virtual mode.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in Mahua P.S. Case No. 561 of 2020 registered under Sections 323, 324, 307, 498(A)/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 petitioner is husband of the victim. There is no medical report in support of the offence under Section 307 of the Indian Penal Code. Except 307 of the Indian Penal Code, 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 561 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



The petitioner is directed to co-operate during the trial. If the petitioner does not co-operate during the trial, the court below will be at liberty to cancel the bail bonds of the petitioner.

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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