

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9343 of 2022

Arising Out of PS. Case No.-13 Year-2021 Thana- MAHILA P.S BAGHA District- West
Champaran

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Santosh Kumar Prajapati @ Santosh Kumar Prjapati Son Of Chandrika
Prajapati R/O Village- Barwa Ratanpur, Banjaripatti, P.S.- Khadda, District-
Kushi Nagar (UTTAR Pradesh)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rima Prajapati Wife Of Santosh Kumar Prajapati, D/O- Sitai Prajapati R/O
Village- Nawka Tola Daunaha, P.S.- Dhanaha, District- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Vijay Kr Singh No. 1, Advocate
For the State	:	Mr.Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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

Further, counsel for the petitioner is permitted to
make necessary correction in the prayer portion of the bail
application.

The petitioner is apprehending his arrest in a case
registered under Sections 323, 498A, 504 and 34 of the Indian
Penal Code and ¾ of Dowry Prohibition Act.

Allegation against the petitioner is of committing



torture upon the victim due to non-fulfilment 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. The case is 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, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Bagaha, West Champaran in connection with Mahila Bagaha P.S. case No.13 of 2021, 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. In case, any such application is made by either of the parties, the court below shall refer the matter to the District Mediation Centre.

(Sudhir Singh, J)

Narendra/-

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