

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9736 of 2022

Arising Out of PS. Case No.-60 Year-2020 Thana- MAHILA PS District- Buxar

DEEPAK CHOURASIA @ DEEPAK KUMAR CHOURASIA Son of Ram
Ashish Chourasia Resident of Village - Bharti Ganj, 159 A, P.s. - Sasaram (T),
Distt.- Rohtas At Sasaram.

... .. Petitioner

Versus

1. The State of Bihar
2. NEHA DEVI D/o Late Nand Kishore Chourasia Resident of Village - Jae
Mohalla Mamak Gola Road, Buxar, P.s.- Buxar Nagar, Distt.- Buxar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Adv.

For the Opposite Party/s : Mr.Anant Kumar I, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 11-03-2022 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 Mahila P.S. Case
No. 60 of 2020 registered under Section 498A/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-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 Chief Judicial Magistrate, Buxar in connection with Mahila P.S. Case No. 60 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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