

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.11323 of 2022

Arising Out of PS. Case No.-193 Year-2020 Thana- GAMAHARIYA District- Madhepura

CHANDAN KUMAR SINGH Son of Ram Nath Singh Resident of Village -
Bambani Ward no.13, P.s.- Gamhariya, Distt.- Madhepura.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Bebi Kumari W/o Chandan Kumar Singh Resident of Village - Ward no.7,
P.O.- Babhangama Katti (Tilhathi Koichari), P.s.- Hanuman Nagar, Distt.-
Saptari (Nepal 56407), at Present resided at Village - Bamani , Ward No.13,
P.s.- Gamhariya, Distt.- Madhepura.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Humayou Ahmad Khan, 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 Gamhariya P.S.
Case No. 193 of 2020 registered under Sections 341, 323, 379, 354,
427, 498(A), 504, 506/34 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. 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 Mrs. Suravi Srivastava, learned Judicial Magistrate-Ist Class, Madhepura in connection with Gamhariya P.S. Case No. 193 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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