

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11899 of 2022**

Arising Out of PS. Case No.-248 Year-2020 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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Kameshwar Kumar Son Of Hari Narayan Singh R/O Village- Ram Nagar,
Ward No.10, P.S.- Bhaptiyahi, P.O.- Shahpur Pirthi Patti, District- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anjali Kumari Wife Of Kameshwar Kumar R/O Village-Ram Nagar, P.S.-
Bhaptiyahi, P.O.- Shahpur Pirthi Patti, District- Supaul, Presently Address-
Anjali Kumari D/O- Rajendra Prasad Chauhan, R/O- Budhape, P.O.-
Baihari, P.S.- Singheshwar, District- Madhepura. Mobile No.- 8271013120

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-03-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

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 a case
registered under Sections 120B, 341, 323, 448, 395, 380, 498A,
494, 147, 148, 149, 365, 511 of the Indian Penal Code and
Section 27 of the Arms Act, but cognizance has been taken
under Sections 147, 323, 341, 448, 494, 498A, 504, 506, 149 of
the Indian Penal Code.



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 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. On the earlier occasion also, the informant had filed a case for similar offences against the petitioner and his family members. 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 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 bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri Pramod Kumar, Judicial Magistrate, 1st class, Madhepura in connection with Complaint case No.248/2020, 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. 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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