

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11579 of 2022

Arising Out of PS. Case No.-2255 Year-2019 Thana- VAISALI COMPLAINT CASE
District- Vaishali

PRABHAKAR KUMAR SINGH @ PRABHAKAR SINGH Son of Sanjeet
Singh Resident of Village - Namidih, P.S.- Lalganj, Distt.- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mandipa Kumari W/o Prabhakar Kumar Singh, D/o Mahesh Singh Resident of Village - Namidih, P.S.- Lalganj, Distt.- Vaishali at Present Resident of Village - Chewar, P.s.- Bidupur, Distt.- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Adv.

For the Opposite Party/s : Mr.Arun Kumar Singh, 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 Complaint Case No. 2255 of 2019 registered under Section 498A 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 learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No. 2255 of 2019 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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