

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9617 of 2020

Arising Out of PS. Case No.-120 Year-2019 Thana- SIMRI District- Buxar

Praveen Kumar Mishra @ Praveen Mishra @ Karan Kumar Mishra Son of
Virendra Mishra Resident of Village - Majhbari, P.S.- Simri, Distt.- Buxar.
... .. Petitioner/s

Versus

1. The State of Bihar.
2. Surabhi Kumari Wife of Praveen Kumar Mishra D/o Ashok Pathak, Resident
of Village and P.O.- Thakuri, P.S.- Charpokhari, Distt.- Bhojpur.
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma
For the Opposite Party/s : Mr. Dilip Kumar No.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-01-2022 Heard learned counsel for the parties through virtual
court proceedings.

From perusal of office notes dated 05.01.2022, it
appears that the notice has been received by opposite party no.2
personally, but nobody appears on behalf of opposite party no.2.

The petitioner apprehends his arrest in a case registered
under Sections 341, 323, 498(A), 504, 506 and 34 of the Indian
Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfillment of additional demand of
dowry.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses against the
petitioner. The petitioner has falsely been implicated in the present



due to petty family dispute. 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 FIR.

Considering the aforesaid facts and circumstances, let 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 bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Simri P.S. Case No.120 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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.

(Anjani Kumar Sharan, J.)

Sanjay/-

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