

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13050 of 2022

Arising Out of PS. Case No.-478 Year-2021 Thana- PHULWARISHARIF District- Patna

Amit Kumar @ Chunnu Son Of Sri Suresh Sharma R/O Village- Biranchak,
P.S.- Janipur, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarita Kumari Wife Of Amit Kumar @ Chunnu And D/O- Late Lakhan Singh Presently Residing At Village- Nadghat, P.S.- Gaurichak, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Pushpendra Kumar Singh, Advocate
For the State	:	Mr.Shantanu Kumar, APP
For opposite party No.2	:	Mr.Praveen Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-03-2022 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party No.2 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 341, 323, 498(A)/34 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 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. 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 and learned counsel for the opposite party No.2, 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 learned Sub Judge IX-cum-Additional Chief Judicial Magistrate, Patna in connection with Phulwarisharif (Janipur) P.S. case No.478 of 2021, 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/-

U		T	
---	--	---	--

