

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18007 of 2022

Arising Out of PS. Case No.-36 Year-2021 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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ASHUTOSH KUMAR JHA Son of Late Laliteshwar Jha Resident of village -
Haripur Majrahi, P.S.- Kaluahi, District - Madhubani

... .. Petitioner

Versus

1. The State of Bihar
2. Shalu Priya Wfie of Ashutosh Kumar Jha Resident of village - Marar, P.S.-
Rahika, District - Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 28-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the Office, within a
period of four weeks.

Learned counsel for the petitioner is directed to
correct the Complaint Case number mentioned in paragraph
no.1 and prayer portion of the anticipatory bail application.

The petitioner is apprehending his arrest in a case
registered under Sections 323, 341, 313, 498(A), 419, 420,
504/34 of the Indian Penal Code and 3 of D.P. Act.

Allegation against the petitioner is of committing



torture and assault 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 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 Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the 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 bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Madhubani in connection with C.R. Case No. 36 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.

The petitioner further undertakes to appear before the Family Court on each and every date and cooperate in the case instituted by O.P. No. 2, pending before the Family Court.

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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