

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19287 of 2022

Arising Out of PS. Case No.-398 Year-2021 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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SANJAY KUMAR SAH @ SANJAY KUMAR @ SANJAY SAH Son of
Dasrath Sah @ Dashrat Sah Resident of Village - Sahebpur Kamal, P.S.
Sahebpur Kamal, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabnam Kumari @ Shabnam Kumari Wife of Sanjay Kumar Sah @ Sanjay Kumar @ Sanjay Sah, Daughter of Tuntun Sah Presently resident of Village Tilrath, Ward No. 17, P.S. - Barauni, District- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr.Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioner and learned
APP for 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 a case
registered under Sections 341, 342, 504, 307, 498(A), 354(A)
of the Indian Penal Code and 12 of Domestic Violence Act in
which the Court below has taken cognizance under sections 323,
341, 504, 498(A) 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 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, Begusarai in connection with Complaint Case No. 398C 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.

(Sudhir Singh, J)

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