

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42489 of 2021**

Arising Out of PS. Case No.-1106 Year-2018 Thana- ROHTAS COMPLAINT CASE
District- Rohtas

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Vivek Chaudhary @ Vivek Kumar S/O Sheoperson Chaudhary @ Siparasan
Chaudhary R/O Village-Kaithi, P.S.-SONHAN, District-Kaimur At Bhabhua.

... .. Petitioner

Versus

1. The State Of Bihar
2. Ratan Devi W/O Vivek Chaudhary R/O Village-Kaithi, P.S.-Sonhan, District-Kaimur At Bhabhua, At Present Malahipur, Post-Mumregpur, P.S.-Chenari, District-Rohtas At Sasaram.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Giridhar Gopal Tiwary, Advocate
For the Opposite Party/s : Mrs. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-02-2022 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.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code and 4
of Dowry Prohibition Act.

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 S.D.J.M., Rohtas at Sasaram in connection with Complaint Case No. 1106 of 2018, 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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