

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37727 of 2022

Arising Out of PS. Case No.-76 Year-2021 Thana- MAHILA PS District- East Champaran

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ALOK KUMAR Son of Mukesh Kumar Resident of Village - Yadavpur, P.S.-
Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Niki Devi Wife of Alok Kumar Daughter of Surendra Singh, Resident of Village - Yadavpur, P.S.- Harsidhi, At present Resident of Village - Tumariya Tola Dankan Road Raxaul, P.S.- Raxaul, District - East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	: Mr. Shakil Ahmad Khan
For the Opposite Party/s	: Mr. Md. Iftekhar Mahmood
	Mr. Dhannajay Kumar No.2

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2022 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects within three weeks.

The petitioner apprehends his arrest in a case registered under sections 498A, 406/34 of the IPC.

Allegation against the petitioner is of committing torture upon the victim in association with his family members for non-fulfilment of demand of dowry.

It is submitted by learned counsel for the petitioner that petitioner is an innocent person and has committed no offence. Petitioner has never made any torture upon the victim and has been falsely implicated in the present case due to grudge. He has



never made any dowry demand from the informant. 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*. It is submitted that the petitioner is still ready and willing to keep his wife with full honour and dignity.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Mahila P.S. Case No.76 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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)

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