

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48800 of 2022

Arising Out of PS. Case No.-1646 Year-2018 Thana- SARAN COMPLAINT CASE District-
Saran

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RAKESH KUMAR @ RAKESH YADAV Son of Late Teras Yadav Resident
of Village - Siristapur, P.S.- Janta Bazar, District - Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bindu Devi Wife of Rakesh Yadv Resident of Village - Siristapur, P.S.- Janta
Bazar, District - Saran, At present D/o Late Ramji Yadav, Resident of Village
- Natwargopi, P.S.- Manjhi, District - Saran at Chapra.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramadhar Shekhar
For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-12-2022 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 seeks bail in a case registered under
Section- 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 that the petitioner has got no
criminal antecedent. There is no allegation of tampering of witnesses
alleged against the petitioner. The petitioner is in custody since 25-
06-2022. Prosecution report has already been filed in this case. The



petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is husband of the victim/complainant. The offences is triable by 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.

On behalf of the State, it is submitted that the petitioner is named in the Complaint/FIR.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Chapra (Saran) in connection with Complaint Case No. 1646 of 2018 (Tr. No. 2294 of 2022).

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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