

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47853 of 2019

Arising Out of PS. Case No.-244 Year-2018 Thana- SAHEBPUR KAMAL District-
Begusarai

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MITHILESH YADAV Son of Uddasay Yadav Resident of village- Bari Ballia,
P.S. Ballia, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Khushboo Devi, Wife of Mithilesh Yadav, Daughter of Gulab Yadav,
Resident of Village Khan Diyara, P.S. Sahebpur Kamal, District Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam
For the State : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

8 06-01-2022 Heard learned counsel for the petitioner and learned

APP for the State. Nobody appears on behalf of opposite party

no.2.

Learned counsel for the petitioner undertakes to

remove the defects within four weeks of normal court

proceedings. In the eventuality of non-removal of defects within

undertaken period, the office will place the matter before the

Bench.

The petitioner apprehends his arrest in a case

registered under Section 498(A) of the Indian Penal Code and

Sections 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner is of committing



torture upon the victim due to non-fulfillment of additional demand of dowry.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses against the petitioner. The petitioner has falsely been implicated in the present 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 FIR.

Considering the aforesaid facts and circumstances, let 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 bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Begusarai in connection with Sahebpur Kamal P.S. Case No.244 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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.)

Sanjay/-

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