

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54872 of 2019

Arising Out of PS. Case No.-661 Year-2018 Thana- GAYA COMPLAINT CASE District-
Gaya

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AJAY YADAV @ AJAY KUMAR Son of Kailash Yadav Resident of Village-
Gehlour Nima, P.S.- Atri (O.P. Gehlaur), District- Gaya.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Babita Devi D/O Satyendra Yadav, W/O Ajay Yadav Resident of Village-
Sukhe Bigha, P.S.- Atri, District- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mrs.Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

5 04-02-2022 Due to the third wave of COVID-19 Pandemic, the
matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State through virtual mode. None appears on behalf
of O.P. No. 2.

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.

Considering the aforesaid facts and circumstances, the provisional bail granted to the petitioner in connection with Complaint Case No. 661 of 2018 to the satisfaction of learned Sub Divisional Judicial Magistrate, Gaya under order dated 20.11.2019 stands confirmed.

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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