

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.942 of 2022

Arising Out of PS. Case No.-267 Year-2021 Thana- ATRI District- Gaya

SAURAV SINGH Son of Birendra Singh @ Birendra Kumar Singh Resident
of Mohalla Shankar Colony, Bekarbandh, House No. 771 Kusumkunj, P.S. -
Dhanbad, District - Dhanbad (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Udbhav, Advocate
For the State	:	Mr.Narsingh Tanti, APP
For the informant	:	Mr.Praveen Prakash, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-03-2022 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of eight
weeks.

A supplementary affidavit has been filed on behalf of the
petitioner. Same be kept on the record.

In the light of supplementary affidavit filed on behalf of
the petitioner, counsel for the petitioner is directed to make
necessary correction in paragraph 1 of the main bail application
in course of the day.

The petitioner is apprehending his arrest in a case
registered under Sections 323, 341, 498(A), 504, 506/34 of the



Indian Penal Code and ¾ of Dowry Prohibition Act. Later on, Section 313 of I.P.C. has been added.

Allegation against the petitioner is of committing torture and assault upon the victim due to non-fulfilment 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. As far as allegation of Section 313 I.P.C. is concerned, there is no medical evidence to show that the alleged offence has been committed. Except for offence under Section 313 I.P.C., rest of the offences are 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 and learned counsel for the informant, 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 Miss Priya Shekhar, learned Judicial Magistrate, Gaya in connection with Atri P.S. case No.267 of 2021 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. In case, any such application is made by either of the parties, the court below shall refer the matter to the District Mediation Centre.

(Sudhir Singh, J)

Narendra/-

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