

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75302 of 2019

Arising Out of PS. Case No.-51 Year-2019 Thana- PHULPARAS District- Madhubani

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UMESH YADAV @ UMESH KUMAR YADAV @ PRINCE KUMAR @
PRINCE Son of Ram Lokhan Yadav Resident of Village - Bathnaha, P.O.-
Belha, P.S.- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Purnima Kumari Wife of Umesh Yadav @ Prince , D/O - Mahesh Kumar
Yadav Resident of Village - Bauraha, P.S.- Laukaha, District- Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Upendra Kumar Chaubey, Advocate
For the Opposite Party/s	:	Mr.Sanjay Kumar. APP
For O.P. No. 2	:	Mr. Jitendra Bharti, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 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, learned APP
for the State and learned counsel for O.P. No. 2 through virtual
mode.

The petitioner is apprehending his arrest in a case
registered under Sections 341, 323 and 498A 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 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/F.I.R.

Considering the aforesaid facts and circumstances, the provisional bail granted to the petitioner under order dated 26.11.2019 in connection with Phulparas P.S. Case No. 51 of 2019 corresponding G.R. No. 264 of 2019 to the satisfaction of learned A.C.J.M.- II, Jhanjharpur, Madhubani 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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