

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87267 of 2019

Arising Out of PS. Case No.-945 Year-2018 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Roushan Kumar S/o Ganesh Mandal Resident of Village - Masarhu, P.S. - Sabour, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kumari Kanauli D/o Rajendra Mandal, W/o Roushan Kumar Resident of Masarhu, Post-Mamlkha, P.S-Sabour, District-Bhagalpur, At present R/o Bansipur Post-Sobhnathpur, P.S-Kahalgawn, District-Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Nawal Kishore Prasad
For the State	:	Mr. Syed Mojibur Rahman
For O.P. No.2	:	Mr. Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 06-01-2022 Heard learned counsel for the petitioner and learned APP for the State.

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 Sections 341, 323, 498(A), 379/34 of the Indian Penal Code.

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 complaint case.

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 Chief Judicial Magistrate, Bhagalpur in connection with Complaint Case No.945 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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