

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84314 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- MAHILA P.S. District- Bhagalpur

DR. NILESH SINHA Son of Late Dr. B. K. Sinha Resident of Kamla Clinic
Lajpat Park Road, P.S.- Adampur (Kotwali), District - Bhagalpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Dr. Shweta Kumari Wife of Dr. Nilesh Sinha Resident of Kamla House,
U.N. Bagchi Road, P.S.- Bhagalpur, At present Kamla Clinic Lajpat Park
Road, P.S.- Adampur (Kotwali), District - Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.N.K. Agrawal, Sr. Adv.
Pravin Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Surendra Kumar, APP
Mr.Dhananjay Kumar Tiwary, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

8 22-02-2022 Heard the parties.

The petitioner apprehends his arrest in a case registered under sections 323, 341, 498(A)/379, 504/34 of the IPC and sections 3/4 of Dian Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of demand of dowry.

It is submitted by learned counsel for the petitioner that petitioner is an innocent person and has committed no offence. Petitioner has never made any dowry demand and has been falsely implicated in the present case due to grudge. 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*. It is



submitted that the petitioner is ready and willing to keep his wife with full honour and dignity.

It is submitted by learned counsel for the informant that the informant-wife of the petitioner is also ready and willing to reside with the petitioner, provided, she is not tortured.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Bhagalpur Mahila P.S. Case No.11/2019, G.R. No.693/2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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)

pallavi/-

U		T	
---	--	---	--

