

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23336 of 2023**

Arising Out of PS. Case No.-42 Year-2022 Thana- MAHILA P.S. District- Madhepura

Prashant Kumar, Son Of Shankar Yadav @ Shankar Pd. Yadav, Resident Of  
Village - Bhelahi, Ward No. 11, P.S. - Murliganj, Distt. - Madhepura.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

**Appearance :**

|                        |   |                                   |
|------------------------|---|-----------------------------------|
| For the Petitioner     | : | Mr. Dinesh Prasad Verma, Advocate |
| For the Informant      | : | Mr. Amarnath Jha, Advocate        |
| For the Opposite Party | : | Mr. Shyam Bihari Singh, APP       |

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**

ORAL ORDER

2      24-06-2023                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for  
the offence registered under Sections 498(A), 323/34 of the  
I.P.C. and  $\frac{3}{4}$  of the D.P. Act.

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

It has been submitted by learned counsel for the  
petitioner that the petitioner has got no criminal antecedent.  
There is no allegation of tampering with the witnesses alleged  
against the petitioner. The petitioner has falsely been implicated  
in the present case due to petty family dispute. The petitioner is  
the husband of the victim. The case is triable by the Magistrate.



The petitioner has further 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 learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below/concerned court, in connection with Madhepura Mahila P.S. Case No. 42 of 2022, 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)

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