

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21301 of 2023

Arising Out of PS. Case No.-1983 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

Vinod Kumar Sharma @ Binod Kumar Sharma Son Of Late Jagdish Sharma
R/O Village- Ahiyapur, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nikki Kumari Wife Of Vinod Kumar Sharma, D/O Gaya Sharma R/O Village And P.O.- Ahiyapur, P.S.- Sahebganj, District- Muzaffarpur, At Present R/O Village And P.O.- Bairiya, P.S.- Bairiya, District- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Brij Kishor Mishra, Advocate
For the Opposite Party/s	:	Mr.Ajay Kumar No. 2, APP
For the complainant	:	Mr. A. Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case initially registered under Sections 498(A), 341, 447, 307, 379, 504, 120(B) of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act but later on, cognizance has been taken for the offence under Section-498(A) of the IPC and Section-4 of the Dowry Prohibition Act.

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, 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 the Court below/concerned Court in connection with Complaint Case No. 1983C of 2018, 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)

A.K.V//-

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

