

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25286 of 2023

Arising Out of PS. Case No.-377 Year-2021 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Anil Kumar Son Of Hira Lal Ram Resident of Mohalla - Bauliya (behind
Nishant Cinema), ward no. 8, P.S. - Sasaram, Distt. - Rohtas

... .. Petitioner

Versus

1. The State of Bihar
2. Mamta Kumari Wife Of Anil Kumar Resident Of Mohalla - Bauliya Road,
(BEHIND Nishant Cinema), Ward No. 8, P.S. - Sasaram, Distt. - Rohtas At
Present D/O Raj Kumar Ram, Resident Of Village And Post - Karmaini, P.S.
- Sanjhauli, Distt. - Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Rajendra Kumar Deo, Advocate
For the Opposite Party/s :	Mr. Ajay Kumar No. 2, APP
For the Informant :	Mr. Raghunandan Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-06-2023 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 323, 307 and 498(A) of the Indian Penal Code
and $\frac{3}{4}$ of Dowry Prohibition Act later on cognizance has been taken
under Section 498(A) of the I.P.C. and $\frac{3}{4}$ of 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 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. 377 of 2021, 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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