

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23475 of 2023

Arising Out of PS. Case No.-59 Year-2022 Thana- PATRAKARNAGAR District- Patna

SAMEER KUMAR (M), aged about 41 years, Son of Sri Ramlakhan Prasad Singh, R/o Mohalla- 328, Navneet Colony, Hanuman Nagar, Kali Mandir Road, P.S.- Patrakar Nagar, Dist- and Town- Patna, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Dilip Kumar, Advocate
For the Opposite Party : Mrs. Sucheta Yadav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-06-2023 Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 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), 406 and 307 of the I.P.C.

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 falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is the



husband of the victim. One more case was instituted for the same offence by the same parties. This is second case instituted by the brother of the wife of the petitioner. There is no medical examination report in support of allegation in respect of offence under Section 307 of the I.P.C. Rest of the offences are 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 counsel for the State and learned counsel for the opposite party no. 2, 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 Patrakar Nagar P.S. Case No. 59 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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