

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26855 of 2023

Arising Out of PS. Case No.-1449 Year-2017 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Pradeep Kumar Sah Son of Late Shankar Lal Sah R/o Naya Tola, Chaudhary
Mohallah, Ward no. 27, PS- Katihar (N) Dist- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suman Kumari D/o Manik Chandra Swarnkar, W/o Pradeep Kumar Sah R/o
Simrabagan Katihar, Distt- Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Sanjeev Kumar Singh, Advocate
For the State	:	Mr.Parmanand Prasad, APP

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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 registered under Sections 406, 420, 323, 498A of the Indian Penal Code and ³/₄ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment 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. 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 learned Court below/concerned Court in connection with Complaint case No.1449 of 2017, 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)

Narendra/-

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