

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26942 of 2023

Arising Out of PS. Case No.-129 Year-2022 Thana- SIKTA District- West Champaran

Govind Kumar Sahu Son of Sri Shankar Sahu Resident of Village - Hamidpur, P.S.- Vaishali, District - Vaishali at Hajipur, At Present resident of Mohalla - Govindpuri, Bibiganj, P.S.- Muzaffarpur Sadar, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anjali Kumari Wife of Govind Kumar Sahu Daughter of Sri Pramod Kumar, Resident of Mohalla - Shivmandir Road, Sikta Bazaar, P.S.- Sikta, District - West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Abhishek Kumar, Advocate
For the State	:	Mr.Humayou Ahmad Khan, APP
For opposite party No.2	:	Mr.Ajeet Kumar Bhardwaj, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-06-2023 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 420, 406 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture and assault 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 due to petty family dispute. On the earlier occasion, the petitioner had filed a case under Section 9 of the Hindu Marriage Act prior to institution of the case and in retaliation the present case has been instituted. 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 and learned counsel for the opposite party No.2, 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 Sikta P.S. case No.129 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)

Narendra/-

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