

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31405 of 2023

Arising Out of PS. Case No.-279 Year-2022 Thana- SIRDALA District- Nawada

Sudhir Kumar @ Soni @ Sudhir Prasad son of Late Chandrika Prasad
Resident of Village- Bijubigha, P.S.- Sirdala (Meskaur) District- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Indradev Prasad S/o of Ram Kishun Mahto Resident of Village Mohanpur,
P.S. and District- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Nafisuzzoha, Advocate
For the State	:	Mr.Sanjay Kumar Singh, APP
For opposite party No.2	:	Mr.Giridhar Gopal Tiwary, Advocate Mr.Satyendra Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-06-2023 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 Section 498A of the Indian Penal Code and $\frac{3}{4}$
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 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. On the earlier occasion also, a case was



instituted for similar offence against the petitioner and his family members. 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 No2, 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 Sirdalla (Meskuar O.P.) P.S. case No.279/2022, 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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