

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59154 of 2023**

Arising Out of PS. Case No.-132 Year-2022 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Amod Thakur @ Amod Kumar, S/O Late Bablu Thakur @ Bablu Kumar, R/O Village-
Ismailpur, Ps. Hajipur Sadar, Dist. Vaishali

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Puja Devi W/O Amod Kumar @ Amod Thakur, D/O Raj Kishore Pandey R/O Village-
Kiratpur, Rajaram, Ps. Bhagwanpur, Dist. Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-09-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within a
period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Complaint Case No. 132 of 2022 dated
17.01.2022 registered for the offences punishable under Sections
341, 323, 504, 279, 307 and 498A of the Indian Penal Code and
under Section 3/4 of the D.P. Act.

4. As per the prosecution case, the petitioner and the co-
accused persons are alleged to have mentally and physically
tortured the complainant due to non-fulfillment of demand of Rs.
2,00,000/- and LCD T.V. as dowry.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The petitioner neither demanded any dowry nor tortured the complainant. It is further submitted that the petitioner is the husband of the complainant and he has no concern with the alleged offence. 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.*” Learned counsel has further submitted that Section 498A of the Indian Penal Code is triable by the Magistrate. The petitioner has clean antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali at Hajipur in connection with Complaint Case No. 132 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. 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.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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