

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59162 of 2023**

Arising Out of PS. Case No.-630 Year-2021 Thana- MUNGER COMPLAINT CASE
District- Munger

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Devrath Kumar, Son Of Chitranjan Raut, Resident Of Village- Adari, P.S.
Runnii Saidpur, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar
2. Puja Kumari Wife Of Devrath Kumar, D/O Sri Krishna Raut Mohalla- Lallu
Pokhar, Argarha Road, Ps- Kasim Bazar, Dist- Munger

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Sah, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, 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 a case in

connection with Complaint P.S. Case No. 630C of 2021 dated

06.08.2021 registered for the offences punishable u/ss 323, 506,

498A, 420, 406 read with section 34 of the Indian Penal Code

and section ¾ of the D.P. Act.

4. As per the prosecution case, the petitioner and the

co-accused persons are alleged to have tortured the complainant

mentally and physically due to non-fulfillment of demand of a

Bolero Vehicle as dowry.



5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner neither demanded any dowry nor tortured the complainant. The petitioner is the husband of the complainant. Learned counsel has further submitted that all the offences as alleged against the petitioner are 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. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

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

7. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Munger in connection with Complaint P.S. Case No. 630C of 2021, subject to conditions 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.

9. The application stands allowed.

(Chandra Prakash Singh, J)

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