

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59902 of 2023**

Arising Out of PS. Case No.-1620 Year-2022 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Sushil Das @ Susil Das S/O Sadanand Das R/O Talwa, Ps- Abadpur, Distt-
Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Fulturi Das Wife Of Sushil Das, D/O Binay Adhikari R/O Surupgani, Ps-
Chanchal, Distt- Malda (W.B.)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

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

ORAL ORDER

2 27-09-2023 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. 1620 of 2022 dated

registered for the offence punishable u/s 498A of the Indian

Penal Code.

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 Rs.



5 lacs as dowry.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. 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 further submitted that Section 498A of the IPC is triable by the Magistrate. There is general and omnibus allegation against the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently 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/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Katihar in connection Complaint Case No. 1620 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(i). 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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