

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20842 of 2017

Arising Out of PS.Case No. -578 Year- 2015 Thana -MUZZFARPUR COMPLAINT CASE District-
MUZZAFFARPUR

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1. Rakesh Kumar @ Munna Kumar @ Munna, Son of Laxman Singh,
Resident of Village Gyaspur, P.S.- Paroo, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Annu Devi, Daughter of Baban Choudhary and Wife of Rakesh Kumar
Alias Munna Kumar, Resident of Village- Saraiya, P.S. Sahebganj,
District- Muzaffarpur, presently at Rajendra Nagar Damodarpur, P.S.-
Khantij, District- Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Jitendra Narayan Sinha

For the Opposite Party/s : Mrs Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 12-10-2017 Heard learned counsel for the petitioner, learned
counsel for the Opposite Party No.2 and learned counsel appearing
on behalf of the State.

The petitioner is apprehending his arrest for the
offence instituted under Section 498A of the Indian Penal Code.

The allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of the demand of
dowry.

Vide order dated 12.05.2017, the matter was referred to
the Mediation Centre, Patna High Court, Patna but as per report of
the Mediator, the mediation has failed.

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. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State and the counsel for the Opposite Party No.2, it has been submitted that the petitioner is named in the Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No.578 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., West Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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