

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24342 of 2017

Arising Out of PS.Case No. -210 Year- 2016 Thana -GAYA COMPLAINT CASE District- GAYA

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Deepak Kumar Mishra, Son of Late Krishan Baldeo Mishra, R/o Mohalla-
Molaganj, Upardih, P.S.- Bishunpad, P.O.- Chandchaoura, District- Gaya.

.... Petitioner

Versus

1. The State of Bihar.
2. Smita Tiwary, D/o Sri Ashok Kumar Tiwary, R/o Mohalla- Molaganj,
Upardih, P.S.- Bishunpad, P.O.- Chandchaoura, District- Gaya.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Deepak Kumar, Advocate.
For the State : Mr. Arun Kumar Pandey, A.P.P.
For the O.P. No. 2 : Mr. Shivendra Prasad, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-07-2017 Heard learned counsels for the petitioner, complainant
and learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 210/2016 for the offences instituted
under Section 498(A) of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the complainant due to
non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of



tampering with the witnesses alleged against the petitioner. The case is triable by the Magistrate. He has falsely been implicated in the present case due to petty family dispute. The petitioner has further 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.

It has been submitted on behalf of learned counsels for the parties that the petitioner and the complainant are agree to enter into one time settlement. If a joint petition on behalf of the petitioner and the complainant is filed in the court below, the court below shall pass a necessary order on the basis of joint petition for settlement for the ends of justice.

On behalf of the learned counsel for the State, it has been submitted that there is no objection to the submissions made on behalf of learned counsels for the petitioner and the complainant.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on 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. 210/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Gaya, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

