

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5901 of 2017

Arising Out of PS. Case No.-59 Year-2016 Thana- SANGRAMPUR District- East Champaran

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Mukesh Ram Son of Ramswaroop Ram Resident of Village - Shyampur,
Barwan, P.S. Sangrampur, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Laxchminia Devi W/o Mukesh Ram r/o Shyampur Barwan PS Sangrampur,
Distt. East Champaran, A/P Laxchimia Devi d/o Late Chandrika Ram r/o
Village Murarpur, PS Harsidhi Distt. East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagdish Prasad, Advocate

For the Opposite Party/s : Mr. ATAUR RAHMAN, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

6 19-09-2017 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case registered under Section 498A of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry.

The matter was referred to the Mediation Centre. Subsequently the matter was compromised between the parties as per the report submitted by the Mediator, but in course of argument it has been submitted that the parties are not complying with the report submitted by the Mediator.

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 due to petty family dispute. The case is 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.

On behalf of the State and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Sadar, East Champaran (Motihari) in connection with Sangrampur P.S. case No.59 of 2016 (G.R. case No.2828 of 2016), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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