

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26129 of 2017

Arising Out of PS.Case No. -275 Year- 2016 Thana -MAHILA P.S. District- BHOJPUR

=====

1. Om Prakash Singh S/o Lalan Singh Resident of Village-Bhola P.S.
Sandesh District Bhojpur

.... Petitioner

Versus

1. The State of Bihar
2. Sunita Kumari D/o Sri Naresh Mahto at Present Resident of Village-
Nariyadih P.O. Badgaon P.S.Ajimabad District Bhojpur

.... Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Ramchandra Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 09-11-2017 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the O.P. No.2.

The petitioner is apprehending his arrest in a case
instituted under Section 498(A) of the Indian Penal Code and ¾ of
D.P. Act.

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

Vide order dated, 08.09.2017, the matter was referred
to the Mediation and Conciliation Centre, Patna High Court, Patna
but as per the 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 counsel for the O.P.No.2, it has been submitted that the petitioner is named in the F.I.R.

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 Bhojpur Mahila P.S. Case No.275 of 2016, 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., Bhojpur, Ara subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Amit/-

U		T	
---	--	---	--

