

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20548 of 2017

Arising Out of PS. Case No.-483 Year-2014 Thana- SIWAN MUFFASIL District- Siwan

Raj Kumar Srivastav Son of Late Indra Nath Srivastav @ Indal Srivastav,
Resident of- P.P. Ganj, Nagar Panchayat Ward No. 10, P.S.- P.P. Ganj,
District- Gorakhpur (U.P.).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Priti Verma Wife of Raj Kumar Srivastav, D/o Girish Chandra Verma, At present Resident of Village- Machakana, Police Station- Hussainganj, District- Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh
For the Opposite Party/s : Mr. SRI LALAN KUMAR

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

- 3 17-10-2017 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 Sections 341, 323, 504 and 498A of the Indian Penal Code.

The matter was referred to the Mediation Centre, Patna High Court by order dated 12.6.2017, but the mediation failed as per report of the Mediator.

Allegation against the petitioner is of committing torture upon the victim 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 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 Sub Divisional Judicial Magistrate, Siwan in connection with Siwan Muffasil (Mahadeva O.P.) P.S. case No.483 of 2014/ Trial No.3472 of 2017, 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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