

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22073 of 2017

Arising Out of PS.Case No. -555 Year- 2015 Thana -BARACHATTI District- GAYA

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Sanjay Yadav, Son of Budhan Yadav, Resident of Village- Raja Bigha, P.S. Fatehpur, District- Gaya.

.... Petitioner

Versus

1. The State of Bihar.
2. Shivani Kumari W/o Sanjay Yadav, D/o Sri Sukhdeo Yadav, Resident of Village- Sindhu- Garh, P.S. Mohanpur, District Gaya.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Ajay Kumar Sinha, Advocate.
For the State : Mr. Ramchandra Sahani, 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

5 20-07-2017 A supplementary affidavit has been filed on behalf of learned counsel for the petitioner. In light of the supplementary affidavit, learned counsel for the petitioner is permitted to make necessary correction in paragraph no. 3 of the bail application, in course of the day.

Heard learned counsels for the petitioner, informant and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Barachatti (Mohanpur) P.S. Case No. 555/2015 for the offences instituted under Sections 341, 323, 498(A), 504, 506/34 of the IPC and ¾ of the D. P. Act.



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

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The case is triable by the Magistrate. The present case has been instituted 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 informant are agree to enter into one time settlement. If a joint petition on behalf of the parties 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 informant.

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 Barachatti (Mohanpur) P.S. Case No. 555/2015 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Sherghati at 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)

