

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31562 of 2017

Arising Out of PS.Case No. -215 Year- 2016 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

=====

Rajesh Mahto Son of Yogi Mahto, Resident of Village- Math Lohiyar, P.S.-
Harsiddhi, District- East Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Rishi Muni Devi, W/O Rajesh Mahto, D/O Hari Mahto, R/V- Sinasiya
Biswan, P.S. Sirisiya, District-West Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate.
For the O.P. No. 2 : None.
For the State : Mr. Bhanu Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 15-12-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State. No one appears for opposite party no. 2.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A), 323, 506 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 victim due to non-
fulfillment of demand of dowry.

Vide order dated 01.09.2017, the matter was referred
to the Mediation & Conciliation Centre, Motihari, East



Champan. As per the report of the Mediator, none of the parties appeared before the Mediator for mediation.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the 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 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.

On behalf of the learned counsels for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned S.D.J.M. Sadar at Motihari (East Champaran), in connection with Harsiddhi P.S. Case No. 215 of 2016, G.R. No. 3367 of 2016, subject to the conditions as



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

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(Sudhir Singh, J)

