

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52654 of 2016

Arising Out of PS.Case No. -175 Year- 2015 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

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Rajeev Paswan, S/o Bino Paswan aged about 40 years, resident of Village-
Ganoni, P.S.- Jamalpur, District- Darbhanga.

.... Petitioner

Versus

1. The State of Bihar
2. Sabita Devi, W/o Rajeev Paswan aged about 25 years, resident of
Village- Baila Ganuani, P.S.- Jamalpur, District- Darbhanga, presently
at C/o Jagdesh Paswan, resident of Harinagar, Kusheshwarsthan and
District Darbhanga.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Shama Sinha, Advocate.
For the State : Mr. Ahtash Ali Khan, A.P.P.
For the Complainant : Mr. Prabhat Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

8 21-09-2017 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the opposite party no.

2.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 323, 504, 498(A) 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.

The matter was referred to the Mediation Centre of



Patna High Court Legal Services Committee, Patna, vide order dated 25.04.2017. As per the report of the Mediator, the mediation has failed between the parties. The matter could not be compromised between the parties.

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 and opposite party no. 2, 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. Biraul, in



connection with C.R. Case No. 175/2015, subject to the conditions
as laid down under Section 438(2) of the Code of Criminal
Procedure.

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(Sudhir Singh, J)

