

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15437 of 2017

Arising Out of PS.Case No. -145 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Vijay Kumar, Son of Late Harendra Prasad, resident of village - Bakhari,
P.S. Adapur, District - East Champaran

.... Petitioner

Versus

1. The State of Bihar
2. Sima Devi, Daughter of Raghunandan Sah, resident of village - Koraiya,
P.S. Mahuawa, District - East Champaran

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-11-2017 Heard learned counsel for the petitioner, learned counsel

for the State and learned counsel appearing on behalf of the O.P.

No.2.

The petitioner is apprehending his arrest in a case
instituted under Section 498(A), 504, 406 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 22.06.2017, 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 the counsel for the O.P. No.2, it has been submitted that the petitioner is named in the Complaint Case.

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 Tr. No. 3295 of 2016, arising out of Complaint Case No.C-145 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., Raxaul, Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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