

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4209 of 2017

Arising Out of PS.Case No. -232 Year- 2015 Thana -LAUKHI District- MADHUBANI

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1. Sunil Kumar Yadav @ Sunil Yadav, son of Ganga Yadav, resident of Village-Tulsiyahi, P.S.-Laukahi, District-Madhubani.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat
For the Opposite Party/s : Mr. Parmanand Prasad
Mr. Ashok Prasad
Mr. Prabhas Ranjan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 25-08-2017 Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Laukahi P.S. Case No. 232 of 2015, G.R. No. 2008 of 2015 for the offences instituted under Sections 147, 323, 379, 498(A) of the Indian Penal Code and 3/4 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.

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. It has further been submitted that the dispute between the parties has already been settled. 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 informant, it has been submitted that the dispute has already been settled between the parties.

The matter was earlier referred to Patna High Court Mediation Centre, Patna. The report of the Mediator is as follows:-

“Both the parties appear. Both are agreed to live together, first party Sunil Kumar Yadav agreed to take all care of 2nd party Rinku Devi who is married wife of Sunil Yadav like wise Rinku Devi also agreed to pay respect of all in law family members Rinku Devi also agreed to withdraw the case filed by her and also by her family members on the 1st party Sunil Yadav and his family members, like wise Sunil Yadav is also agreed to withdraw the cases filed by him if any.



Therefore dispute has been resolve 1st party
has also give assurance of good behaviour in future.

So the dispute is settled between the parties
through mediation”.

Considering the fact that the matter has already been
settled between the parties, 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 Laukahi P.S. Case No. 232 of 2015, G.R.
No. 2008 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten
Thousand) with two sureties of the like amount each to the
satisfaction of learned J.M. 1st Class, Jhanjharpur, Madhubani
subject to the conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Sudhir Singh, J)

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