

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33707 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

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1. Estikhar Rayeen Son of Late Ajeej Rayeen, R/o Village- Chainpur Muhalla- Chota Takiya, P.S.- Chainpur, District- Bhabua at present Resident At Mohania, Ward No.15, P.S.- Mohanai, District- Kaimur at Bhabua.

.... Petitioner

Versus

1. The State of Bihar.
2. Parween Bibi W/o Estikhar Rayeen, R/o Village- Chainpur Muhalla Chota Takiya, P.S.- Chainpur, District- Kaimur at Bhabua at present Resident at Mohania, Ward No. 15, P.S.-Mohania, District- Kaimur at Bhabua.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan
For the Opposite Party/s : Mr. Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-11-2017 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the O.P. No.2.

The petitioner is apprehending his arrest in a case instituted under Section 498(A), 307, 120(B) 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, 27.07.2017, 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. 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 counsel for the O.P.No.2, it has been submitted that the petitioner is named in the F.I.R.

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 Bhabua Mahila P.S. Case No. 04 of 2017, G.R. No. 112 of 2017, 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., Kaimur at Bhabua, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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