

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53310 of 2016

Arising Out of PS.Case No. -141 Year- 2016 Thana -MAHILA P.S. District- BHOJPUR

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Shailendra Kumar @ Shailendra Prasad Son of Late Suresh Prasad Resident of Village/Mohallah-Badi Khagoul-Danapur, P.S.-Khagoul, District-Patna

.... Petitioner

Versus

1. The State of Bihar.
2. Purnima Devi Wife of Sri Surendra Prasad, D/o-Kumar Kanwar Nath Resident of Mohallah-Shital Tola (Sheoganj), P.S. Aara Town, District-Bhojpur at Aara, Sasurali resident of Village- Bari Khagoul-Danapur, Post + P.S.-Khagoul, District-Patna.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Jeetendra Narayan, Advocate.
For the State : Mr. Sri Sanjay Kumar Tiwary, A.P.P.
For the Informant : Mr. Madanjeet Kumar and Mr. Rajeev Ranjan, Advocates.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

7 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 498(A), 379/34 of the IPC and 3/4 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 10.03.2017. As per the report of the Mediator, mediation between the parties has failed.

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. Bhojpur at Arrah, in connection with Mahila P.S. Case No. 141/2016, subject to the



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

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(Sudhir Singh, J)

