

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26111 of 2017

Arising Out of PS.Case No. -366 Year- 2016 Thana -SIWAN MUFFASIL District- SIWAN

=====

1. Mukesh Yadav, son of Upendra Yadav, resident of Village- Sewtapur,
Police Station- Mairwan, District- Siwan.

.... Petitioner

Versus

1. The State of Bihar.
2. Sumita Devi, D/o Shyamdeo Chaudhary, W/o Mukesh Yadav, Resident
of Village- Majhawa, P.O.- Sarsar, P.S.- Siwan Muffasil, District- Siwan.

.... Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Shyam Kumar Singh

=====

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 for the O.P. No.2.

The petitioner is apprehending his arrest in a case
instituted under Sections 341, 323, 498(A), 307, 504, 506/34 of
the Indian Penal Code.

The allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of the demand of
dowry.

Vide order dated, 08.09.2017, 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 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 Siwan Muffasil P.S. Case No. 366 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 C.J.M., Siwan, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Amit/-

U		T	
---	--	---	--

