

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31688 of 2017

Arising Out of PS. Case No.-17 Year-2017 Thana- MAHILA P.S. District- Araria

Hemant Kumar, son of Prof. Nawal Kishore Singh, resident of Mohalla-
Adarsh Nagar, Ward No.16, Araria, Police Station- Araria, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nutan Kumari, wife of Hemant Kumar, daughter of Birendra Kumar Chaudhary, resident of Mohalla- Ashram Road, Ward No.15, Araria, Police Station- Araria, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mritunjay Kumar, Advocate
For the State	:	Mr. RAJKISHORE SINGH, APP
For Informant	:	Mr. Krishna Pd. Singh, Sr. Advocate
		Mr. Bhaskar Shankar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-09-2017 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case registered under Section 498A of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act. Subsequently, Sections 341, 323, 406, 420, 468, 467, 120B/34 I.P.C. were added.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry.

The matter was referred to the Mediation Centre, but the mediation between the parties has failed.

It has been submitted on behalf of the petitioner that 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 case is triable by the Magistrate. The petitioner has 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 State and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 learned Sub Divisional Judicial Magistrate, Araria in connection with Araria Mahila P.S. case No.17 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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