

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29322 of 2017

Arising Out of PS. Case No.-211 Year-2016 Thana- CHENARI District- Rohtas

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Birendra Prasad @ Virendra Prasad son of Rameshwar Prasad resident of Village - Pithiaaw, Police Station - Chenari, District - Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Chandni Devi wife of Birendra Prasad, daughter of Sri Rajendra Prasad resident of Village - Pithiaaw, Police Station - Chenari, District - Rohtas at Sasaram at present resident of Village - Baraw, Police Station - Nokha, District - Rohtas at Sasaram.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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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 Sections 341, 323, 324, 307, 504, 498A/34 of the Indian Penal Code and ³/₄ of Dowry Prohibition Act.

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 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 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 Shri Pankaj Mishra, A.C.J.M.-cum-S.J. IIIrd, Rohtas at Sasaram in connection with Chenari P.S. case No.211 of 2016, 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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