

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32046 of 2017

Arising Out of PS. Case No.-15 Year-2016 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Bir Bahadur Paswan S/o sri Harihar Paswan Resident of village- Baruna, P.S.-
Buxar (Town), Distt.- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priya Devi D/o Jawahar Lal Ram, W/O Bir Bahadur Paswan Resident of
village- Aadarsh Nagar, P.S.- Buxar (Town), Distt.- Buxar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Digvijay Kumar Ojha, Advocate
For the State	:	Mr. Satyadev Prasad Singh Yadav, APP
For opposite party No.2	:	Mr. Madanjeet Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-11-2017 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.

By order dated 13.07.2017, the matter was referred to the
Mediation Centre, Patna High Court. As per the report of the
Mediator, the mediation has failed.

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

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 complaint case.

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 C.J.M., Buxar in connection with Complaint case No.15C 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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