

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36996 of 2018

Arising Out of PS. Case No.-455 Year-2017 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Vikash Kumar @ Vikas Kumar S/o Late Surendra Prasad, R/o Vill.-
Murtajapur, P.S.- Belchhi, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kumari Kumkum W/o Vikash Kumar and D/o Satyadeo Parsad, R/o Vill.-
Fagunipar, P.S.- Ekangar Sarai, Distt.- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Birendra Kumar, Advocate
For the State	:	Mr. Bharat Lal, APP
For opposite party No.2	:	Mr. Prakash Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-07-2018 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 498A, 494, 323, 406, 504, 506, 120B of the Indian Penal Code and 3 of Dowry Prohibition Act, but cognizance has been taken under Sections 498A, 406 of the I.P.C. and 4 of Dowry Prohibition Act.

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 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 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/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 S.D.J.M., Hilsa, Nalanda in connection with Complaint case No.455(c) of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Sudhir Singh, J)

Narendra/-

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