

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47920 of 2018**

Arising Out of PS. Case No.-1370 Year-2017 Thana- MUZZFARPUR COMPLAINT CASE  
District- Muzaffarpur

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Raju Kumar, Son of Raj Kumar Sah, Resident of Village- Madhopur  
Committee Bazar, Police Station- Turkolia, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Juhi Kumari, Wife of Raju Kumar, Daughter of Nawal Kishore Sah, resident of Village- Madhopur Committee Bazar, Police Station- Turkolia, District- East Champaran, at present Resident of Village and Post- Karja, P.S.- Karja, District- Muzaffarpur.

... .. Opposite Party/s

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**Appearance :**

|                         |   |                                           |
|-------------------------|---|-------------------------------------------|
| For the Petitioner      | : | Mr. Akhauri Kamal Kishore Sahay, Advocate |
| For the State           | : | Mr. Shailendra Kumar -1, APP              |
| For opposite party No.2 | : | Mr. Hari Kishore Thakur, Advocate         |

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      06-08-2018                      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 323, 498A, 406 of the Indian Penal Code and <sup>3</sup>/<sub>4</sub> 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.

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. West, Muzaffarpur in connection with Complaint case No.1370 of 2017 corresponding to Trial No.4002 of 2018, 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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