

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54391 of 2018**

Arising Out of PS. Case No.-332 Year-2016 Thana- NALANDA COMPLAINT CASE  
District- Nalanda

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Mahesh Kumar, Son of Mohit Prasad, Resident of Mohalla- East Ram Krishna Nagar, near of Saint Joseph Balika Singh School, Police Station- Ramkrishna Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Lovely Kumari, Wife of Mahesh Kumar, Resident of Village/Mohalla- East Ram Krishna Nagar, Near of Saint Joseph Balika High School, Police Station- Ramkrishna Nagar, District- Patna, at present Lovely Kumar, D/o Vijay Prasad, Resident of Village- Neemi, P.s.- Parwalpur, District- Nalanda.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra  
For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

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

2      25-09-2018                      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 Section 498A of the Indian Penal Code 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, 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. 332(C) of 2016, 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)**

Pankaj/-

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