IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60384 of 2018

Arising Out of PS. Case No.-418 Year-2016 Thana- MADHUBANI TOWN District-Madhubani

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Binay Sharma son of Nandlal Thakur resident of Bhowara, Ward No. 26, Tona, P.S. and District - Madhubani.

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Abhay Shankar Singh
For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 01-10-2018 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, 323, 341, 379/34 of the Indian Penal Code and ¾ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment 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***

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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., Madhubani in connection with Madhubani Town P.S. Case No. 418/2016, G.R. No. 2540 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)

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