

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21187 of 2017

Arising Out of PS.Case No. -367 Year- 2016 Thana -COMPLAINT CASE District- ARRARIA

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Bikash Kumar @ Vikash Kumar Yadav S/o Sri Gulab Chand Yadav
resident of Village Kharsahi, P.S. Raniganj, District Araria.

.... Petitioner

Versus

1. The State of Bihar.
2. Sunita Devi W/o Bikash Kumar resident of Village Kharsahi, P.S. Raniganj, District Araria.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Anil Prasad Singh, Advocate.
For the State : Mr. Arun Kumar Pandey, A.P.P.
For the O.P. No. 2 : Mr. Ramesh Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 08-01-2018 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the opposite party no.

2.

The petitioner is apprehending his arrest in a case for
the offence registered under Section 498(A) of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfillment of demand of dowry.

Vide order dated 04.09.2017, the matter was referred
to the High Court Mediation Centre, Patna. As per the report of
the Mediator, the mediation has failed.



It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner has further 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned S.D.J.M. Araria, in connection with Complaint Case No. 367C of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)