

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72296 of 2018

Arising Out of PS. Case No.-263 Year-2017 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Mukesh Jha, S/o Upendra Jha, Resident of Village-Habibhouar, P.S, Bahara,
District-Darbhangha.

... .. Petitioner/s

Versus

State Of Bihar & Anr

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha
For the Opposite Party/s : Mr. Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-12-2018 Counsel for the petitioner is permitted to make necessary
correction in paragraph-3 of the petition in course of the day.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered
under Sections 498A/ 494 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 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 Sub Divisional Judicial Magistrate, Darbhanga in connection with C.R. No. 263 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)

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