

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16043 of 2018

Arising Out of PS. Case No.-316 Year-2017 Thana- RAJIVNAGAR District- Patna

Radha Ram S/o Late Daroga Chaudhary, R/o Nalanda Colony, Khajepura House No. 823 (C), P.O. - Bihar Veterinary College, P.s.- Rajiv Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Laxmi Kumari W/o Radha Ram, R/o Laxmi Niwas, Nalanda Colony, Khajepura, P.S.- Rajiv Nagar, Town & District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Surendra Mishra, Adv.
For the State	:	Mr. Amrendra Prasad, APP
For O.P. No.2	:	Mr. Rajnandan Kr. Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-04-2018 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 497, 498A, 307, 379, 504, 506/34 of the Indian Penal Code.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry.

By order dated 21.03.2018, the matter was adjourned on the prayer of the parties that they wanted to settle the matter.

When the matter is taken up today, it has been submitted that the matter could not be settled between the parties.

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. Except for offence under Section 307 of the I.P.C., other offences are triable by the Magistrate. There is no injury report in support of the allegations made in respect to offence under Section 307 of the I.P.C. The petitioner is aged about 67 years. 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 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 Sri Abhijit Kumar, Sub Judge III-cum-A.C.J.M., Patna in connection with Rajiv Nagar P.S. case No.316 of 2017, G.R. No.7665 of 2017, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

