

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53344 of 2016

Arising Out of PS.Case No. -72 Year- 2016 Thana -MARAUNA District- SUPAUL

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Saroj Kumar Yadav @ Saroj Yadav, Son of Late Mungalal Yadav, Resident of Village-Marouna, Tola-Khushiyali, POlice Station-Marouna, District-Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr/S. Arun & Sanjay Kr. @ S.K., Advocates.

For the State : Mr. Matloob Rab, A.P.P.

For the O.P. No. 2 : M/S. Ashok Kumar and Binod Kumar Sinha, Advocates.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

8 09-02-2018 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 Sections 341, 323, 379, 498(A),494, 504 and 506 of the IPC.

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

The matter was referred to the Patna High Court Mediation& Conciliation Centre on 09.01.2017. As per the report of the Mediator, 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 case is triable by the Magistrate. 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 C.J.M. Supaul, in connection with Marouna P.S. Case No. 72 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)