

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5353 of 2018

Arising Out of PS. Case No.-205 Year-2017 Thana- SARAN COMPLAINT CASE District-
Saran

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Abhishek Singh S/o Rajdev Singh, R/o Village- Karnpura, P.S.- Marhaurah,
Distt.- Saran, at present residing at Vastral S.P. Ring Road, Ahmandabad, New
Parajraj, Flat No. A, Room No.502.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Devi W/o Abhishek Singh, D/o Shyam Narayan Singh, At present R/o
Village- Nawadih (Khalpura Bala), P.S.- Chapra Muffasil, District- Saran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjana
For the Opposite Party/s : Mr. Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-07-2018 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for O.P. No. 2.

The petitioner is apprehending his arrest in a case registered
under Sections 315, 323, 379, 498(A) and Sections 3/4 of Dowry
Prohibition Act.

Allegation against the petitioner is of committing torture
and assault upon the victim due to non-fulfilment 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. There is no medical report to support the allegations for



constituting offence under Section 315 of the Indian Penal Code. Rest of the offences are 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 S.D.J.M., Saran at Chapra in connection with Complaint Case No. 205 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If either of the parties make an application before the Court below for referring the matter to the District Mediation Centre, the Court below may refer the matter to the District Mediation Centre for the purpose of reconciliation between the parties.

(Sudhir Singh, J)

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