

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31091 of 2018

Arising Out of PS. Case No.-1317 Year-2016 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Yagye Prakash @ Yagya Prakash son of Ram Sagar Prasad resident of
Mohalla - Kali Kothi, P.S. - Town, Dist - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Ritu Prakash W/o Yagye Prakash , D/o Rajesh Pd. @ Raju Prasad
resident of Mohalla - Jangali Mai Sthan, Balu Ghat, P.S. - Town Muzaffarpur,
Dist - Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Sunil Kumar, Advocate
For the State	:	Mr. Asharaf Ansari, APP
For opposite party No.2	:	Mr. Hari Kishore Thakur, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-07-2018 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 Section 498A of the Indian Penal Code and 4 of
Dowry Prohibition Act.

Allegation against the petitioner is of committing torture
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. 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 and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the complaint case.

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. East, Muzaffarpur in connection with Complaint case No.1317 of 2016 corresponding to Tr. No.2659 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.

Narendra/-

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(Sudhir Singh, J)

