

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41080 of 2017

Arising Out of PS. Case No.-6 Year-2017 Thana- MAHILA P.S. District- Lakhisarai

Ajeet Paswan Son of Sri Bheem Paswan Resident of Mohalla- Walipur, P.S. Jamalpur, District. Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari w/o Ajeet Paswan and daughter of Padarath Paswan, R/o vill. Kalyanpur, P.S. Barahiya, Dist. Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Amitabh Sohan, Adv.
For the State	:	Mr. Sanjay Kumar Tiwary 1, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 10-04-2018 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 498A, 307, 323, 504, 406/34 of the Indian Penal Code and $\frac{3}{4}$ 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.

By order dated 07.11.2017 the matter was referred to the Mediation Centre. As per the report of the Mediator, the mediation has failed.

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 examination report in support of the allegations made in respect of offence under Section 307 of the I.P.C. 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 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 learned S.D.J.M., Lakhisarai in connection with Lakhisarai Mahila P.S. case No.06 of 2017 (G.R. No.296 of 2017) arising out of Complaint case No.42C of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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