

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.52152 of 2018**

Arising Out of PS.Case No. -133 Year- 2017 Thana -AWTARNAGAR District- SARAN

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BITTU SHARMA S/o Birendra Sharma. Resident of Village-Pratappur,  
P.S. Awatar Nagar, District-Saran at Chapra. .... Petitioner

Versus

The State of Bihar .... Opposite Party

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**Appearance :**

For the Petitioner : Mr.

For the Opposite Party : Mr.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**

ORAL ORDER

2      26-09-2018      Heard learned counsel for the petitioner, O.P. No. 2 and  
learned APP for the State.

The petitioner is apprehending his arrest in a case registered  
under Sections 498A, 323, 379 & 307 of the Indian Penal Code.

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

It has been submitted on behalf of the petitioner that the  
petitioner has got no 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 allegation for the offence under Section-307 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 and O.P. No. 2, 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 Additional Chief Judicial Magistrate-XI, Saran at Chapra in connection with Awatar Nagar P.S. Case No. 133 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.

**(Sudhir Singh, J)**

A.K.V./-

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