

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59971 of 2018

Arising Out of PS. Case No.-554 Year-2017 Thana- COMPLAINT CASE District- Supaul

Rabindra Kumar son of Late Dhirendra Yadav resident of village - Kateya,
P.S. - Pipra, District - Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kalpana Devi wife of Rabindra Kumar resident of Village - Kateya, P.S. - Pipra, District - Supaul at present D/o Shri Sita Ram Yadav, Village - Jhaura, Gram Panchayat + P.S. Lalikaha (Supaul), District - Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-10-2018 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/323 of the Indian Penal Code.

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 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. On the earlier occasion the victim has instituted
a case for similar offence against the petitioner and his family
members. 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 A.C.J.M. III, Supaul in connection with Complaint case No.554 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)

Narendra/-

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