

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54323 of 2018

Arising Out of PS. Case No.-184 Year-2018 Thana- SIWAN CITY District- Siwan

Subodh Kumar Gupta, son of Late Pramod Prasad Sah, resident of House of Sri Uday Singh, I.O.C. Road, Sipara, P.S. Beur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Swati Rani, wife of Subodh Kumar Gupta, daughter of Om Prakash Gupta, resident of Mohalla- Sabzi Mandi, Sadanand Bazar, P.S. Town, Siwan, District Siwan. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Maijorwar

For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-09-2018 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, 406, 504, 506/ 34 of the Indian Penal Code and 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. 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, 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., Siwan in connection with Siwan (Town) P.S. Case No. 184/2018, 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)

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