

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72544 of 2018

Arising Out of PS. Case No.-3187 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Avinish Kumar @ Avnish Kumar, S/o Shri Ravindra Paswan, resident of
village-Sherpur, P.S. Karpi, District-Arwal.

... .. Petitioner/s

Versus

State Of Bihar & Anr

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Narayan Sharma
For the Opposite Party/s : Mr. Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-12-2018 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 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-fulfillment 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 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 Sub Divisional
Judicial Magistrate, Patna in connection with Complaint Case
No. 3187© 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)

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