

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53798 of 2016

Arising Out of PS.Case No. -56 Year- 2014 Thana -MAHILA PS District- JEHANABAD

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Kumar Upendra Narayan Son of Late Ram Naresh Sharma Resident of
Village Manan Bigha, P.S. Paras Bigha, District- Jehanabad.

.... Petitioner

Versus

1. The State of Bihar.
2. Asha Devi, W/O Kumar Upendra Narayan, R/V- Manan Bigha, P.S.
Parasbigha, District-Jehanabad.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate.
For the State : Mr. Sri Nityanand, A.P.P.
For the O.P. No. 2 : Mr. Bhagya Narayan Jha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

10 08-01-2018 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party no.
2.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 323, 341 and 498(A)/34 of
the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfillment of demand of dowry.

Vide order dated 08.05.2017, the matter was referred
to the Mediation and Conciliation Centre, Patna High Court,



Patna. As per the report of the Mediator, the mediation has failed due to non-appearance of opposite party no. 2 before the Mediation Centre.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner has further 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned S.D.J.M. Jehanabad, in connection with Jehanabad Mahila P.S. Case No. 56 of 2014, bearing Trial No. 3316 of 2015, subject to the conditions as laid



down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

