

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7993 of 2017

Arising Out of PS.Case No. -1256 Year- 2014 Thana -GAYA COMPLAINT CASE District- GAYA
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Mohan Prasad, Son of Sri Sidheswar Prasad @ Chandeswar Prasad,
Resident of Village/Mohalla- Jail Road, Near Pani Tanki Tea Shop,
Jehanabad, P.S.+Dist.- Jehanabad.

.... Petitioner

Versus

1. State of Bihar.
2. Vibha Devi, Wife of Mohan Prasad, D/o Raghuveer Prasad, Resident of Mohall Begusarai Gumti, P.S.- Delha, District- Gaya.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Rashmi Kumari Mandilwar, Advocate.
For the State : Mr. Tarun Prasad Mandal, A.P.P.
For the O.P. No. 2 : None.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 05-02-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Section 498(A) 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 28.11.2017, the matter was referred
to the Mediation and Reconciliation Centre of the Patna High
Court. As per the report of the Mediator, mediation has failed.

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 case is triable by the Magistrate. 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, 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 C.J.M. Gaya, in connection with Complaint Case No. 1256 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)