

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16403 of 2017

Arising Out of PS.Case No. -1697 Year- 2013 Thana -COMPLAINT CASE District- JAMUI

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Sunil Tanti, Son of Bhojal Tanti, resident of Village- Bhuni Marhar, Police Station- Laxmipur, Distt.- Jamui.

.... Petitioner

Versus

1. The State of Bihar.
2. Babita Devi, Wife of Sunil Tanti, D/o Ramdeo Tanti, resident of Village- Bhunimarhar, P.O.- Gaura, Police Station- Laxmipur, District- Jaumi presently residing with Ramdeo Tanti, resident of Village- Tatwadih, Police Station and Post Office- Jhajha, District- Jamui.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Brajesh Sahay, Advocate.
For the State : Mr. Nand Kishore Pd. A.P.P.
For the O.P. No. 2 : Mr. Rajesh Kumar Sinha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 06-02-2018 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, 494 and 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.

The matter was referred to the Mediation and



Reconciliation Centre of the Patna High Court vide order dated 04.12.2017. As per the report of the Mediator, mediation has failed as the opposite party no. 2 never appeared before the Medication Centre after second notice. However, petitioner and his learned counsel were present there.

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 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. Jamui, in connection with Complaint Case No. 1697 (C) of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

