

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50004 of 2018

Arising Out of PS.Case No. -186 Year- 2017 Thana -BHANGWANPUR HAT District- SIWAN

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1. Kumar Piyush son of Ramji Singh, resident of Village- Sarhari, P.S. Bhagwanpur, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kaushik

For the Opposite Party/s : Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-09-2018 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 Sections 498A/313 of the Indian Penal Code and ¾ 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 medical prescription of the victim does not support the allegation made in the FIR in respect of the offence under Section-313 of the Indian Penal Code. Rest of the offences are 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, Siwan in connection with Bhagwanpur Hat P.S. Case No. 186 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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