

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52067 of 2018

Arising Out of PS. Case No.-379 Year-2017 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Sharat Prakash @ Sharad Prakash, age about 35 Years S/o Shyam Bahadur Choudhary, R/o vill.- Jayajpatty, P.O. + P.S.- Dalsingsarai, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Urvashi Kumari, aged about 27 Years W/o Sarat Prakash, D/o Late Raj Kumar Rai, R/o Vill.- Jayajpatty, P.O. +P.S.- Dalsingsarai, District-Samastipur. Presently residing as Village Manopur P.O. + P.S.- Bhagwanpur, District- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Jai Vardhan Narayan, Advocate
For the State	:	Mr. Md. Ashlam Ansari, APP
For opposite party No.2	:	Mr. Sandip Kumar Gautam, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-10-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case registered under Section 498A of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. On the earlier occasion also, the victim has instituted a case for similar offence against the petitioner and his family



members. 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 learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the complaint case.

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 S.D.J.M., Begusarai in connection with Complaint case No.379 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.



It is expected that the petitioner shall co-operate in the
case pending before the Family Court.

(Sudhir Singh, J)

Narendra/-

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