

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37235 of 2017

Arising Out of PS. Case No.-305 Year-2016 Thana- MAHILA P.S. District- Bhojpur

Niraj Kumar Singh @ Niraj Kumar @ Niraj Singh Son of Prem Sagar Singh,
R/o Chhatanwar, P.S.- Krishna Braham, District- Buxar. At present
95/1/2HO/19 Kashipur Road, P.S.- Cossi Poor, Kolkata 700002 (West
Bengal).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Vinita Singh D/o Om Prakash Singh, Gas Agency Road, Pakri, Near Lalita
Medical Hall, P.S.- Ara Nawada, District- Bhojpur, Mobile No.-7250818773.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Zeyaul Hoda, Adv.
For the State	:	Mr. Nand Kishore Pd, APP
For O.P. No.2	:	Mr. Rajesh Ranjan, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 09-04-2018 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 Sections 341, 323, 379, 498A/34 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.

By order dated 13.10.2017, the matter was referred to the
Mediation Centre, Patna High Court. As per the report of the
Mediator, the mediation has failed.

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 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 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 S.D.J.M., Bhojpur at Ara in connection with Mahila P.s. case No.305 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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