

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44660 of 2018

Arising Out of PS. Case No.-128 Year-2016 Thana- MAHILA P.S. District- Nalanda

Mukesh Kumar son of Sadhu Sharan Prasad @ Sadhu Prasad R/o Vill + P.O. Khijar Sarai, P.S.Khijar Sarai, District - Gaya, at present Vill - Nagarnausa, PS - Nagarnausa, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Nityanand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-07-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner seeks bail in a case instituted for the offences under Sections 498A and 34 of the Indian Penal Code.

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 the petitioner is in custody since 12.5.2018 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. 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, it is submitted that the petitioner is named in the F.I.R/complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on 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., Nalanda in connection with Mahila P.S. Case No. 128 of 2016.

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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