

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16281 of 2018

Arising Out of PS. Case No.-134 Year-2017 Thana- MAHILA P.S. District- Bhojpur

Amit Kumar Singh S/o Baban Singh Resident of Vill - Dariyapur, P.S. - Ara
Muffasil, Dist - Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rakhi Singh D/o Birendra Kumar Singh w/o Amit Kumar Singh Resident of Vill - Dariyapur, P.S. - Ara Muffasil, Dist - Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Rajani Ranjan Pd. Singh, Adv.
For the State	:	Mr. Narendra Kumar Singh, APP
For O.P. No.2	:	Mr. Pankaj Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 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 498A, 379, 504/34 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 21.03.2018, the matter was adjourned on the prayer of the parties that they wanted to settle the matter.

When the matter is taken up today, it has been submitted that the matter could not be settled between the parties.

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.134 of 2017, 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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