

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5211 of 2018

Arising Out of PS. Case No.-2131 Year-2015 Thana- PATNA COMPLAINT CASE District-
Patna

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Kumar Saurabh Sinha, Son of Late Rajeshwar Prasad Sinha, resident of Mohalla- Vikash Nagar, Saraidhela (wrongly mentioned as Saraikela in Complaint petition) Thana More, Dhanbad, P.O.- Jagjiwan Nagar, P.S.- Saraidhela, District- Dhanbad (Jharkhand), at present resident of A-40/2, Indira Enclave, near IGNOU Office, Neb Sarai, P.S.- Neb Sarai, District- Mehrauli, New Delhi- 110068.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Divya Bharti, D/o Sri Jai Prakash Singh, W/o Kumar Saurabh Sinha, resident of Mohalla- New Etwarpur, Adityapuri, Kurthol, P.S.- Parsa Bazar, District- Patna 800001.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Gangesh Gunjan
For the Opposite Party/s : Mr. ANAND MOHAN PRASAD MEHTA

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 29-03-2018 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 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 07.03.2018, an opportunity was given to the parties for making a one time settlement but it has been submitted that the settlement between the parties 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, 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 S.D.J.M., Patna in connection with Complaint Case No. 2131(C)/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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