

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61847 of 2018

Arising Out of PS.Case No. -139 Year- 2018 Thana -GAUTAMBUDHNAGAR District- SIWAN

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Rajesh Yadav, S/o Shankar Yadav, Resident of Village-Surabala, P.S. –
G.B. Nagar, District-Siwan.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Yadav

For the Opposite Party/s : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-10-2018 Heard learned counsel for the petitioner, O.P. No. 2 and
learned APP for the State.

The petitioner is apprehending his arrest in a case registered
under Sections 341, 323, 498A/34 of the Indian Penal Code.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfillment 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. The petitioner has falsely been implicated in the present
case due to petty family dispute. On earlier occasion also, the
victim and her family members have instituted a case for similar
nature of offence against the petitioner and his family members.
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 O.P. No. 2, 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 Chief Judicial Magistrate, Siwan
in connection with G.B. Nagar P.S. Case No. 139 of 2018, 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.

(Sudhir Singh, J)

A.K.V./-

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