

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55692 of 2018

Arising Out of PS. Case No.-180 Year-2016 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Amit Mandal @ Amit Kumar Mandal Son of Baleshwar Mandal resident of
Village - Kamla Kanhi, P.S. - Kursela, District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shobha Kumari wife of Amit Mandal alias Amit Kumar Mandal Resident of
Village - Kamla Kanhi, P.S. - Kursela, District Katihar, present address
daughter of Ramanand Mandal, resident of Village - Abhiya, P.S. - Gopalpur,
District - Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Rajesh Kumar Pandey, Adv.
For the State	:	Mr. Nityanand, APP
For opposite party No.2	:	Mr. Raj Kumar Rajesh, Adv.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-11-2018 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 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.

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 complaint case.

Considering the aforesaid facts and circumstances, the provisional anticipatory bail granted to the petitioner by order dated 20.09.2018 is hereby confirmed in connection with Complaint case No.180 of 2016 pending in the court of S.D.J.M., Naugachia.

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.

Narendra/-

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(Sudhir Singh, J)

