

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60121 of 2018

Arising Out of PS. Case No.-416 Year-2018 Thana- LAKHISARAI District- Lakhisarai

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Kumar Vikash, S/o Kedar Prasad, R/o Vill.- Mahisona, P.S.- Lakhisarai,
District- Lakhisarai.

... .. Petitioner

Versus

1. The State of Bihar.
2. Bidya Kumari, D/O Raja Ram, resident of Village- Pachna Road, Bypass
Ward No. 17, P.S. Lakhisarai, District-Lakhisarai.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Mukesh Kumar, Advocate.
For the State	:	Smt. Suman Kumari Singh, A.P.P.
For the O.P. No. 2	:	M/S. Rabi Bhushan and Rakhi Kumari, Advocates.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-11-2018 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party
no. 2.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 341, 323, 504, 498(A)/34
of the IPC and $\frac{3}{4}$ of the D. P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfilment of demand of dowry.

Earlier vide order dated 06.10.2018, the matter was
referred to the Mediation Center, Patna High Court, Patna. As
per report of the Mediator, mediation has failed.



It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the 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 further 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned Additional Sessions Judge-I, Lakhisarai, in connection with Lakhisarai P.S. Case No. 416 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)

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