

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44173 of 2018

Arising Out of PS.Case No. -2554 Year- 2014 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

- =====
1. Dinesh Mandal, S/o Late Ramadhin Mandal
 2. Kali Devi @ Kaili Devi wife of Dinesh Mandal

.... Petitioners

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar

For the Opposite Party/s : Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-07-2018 Heard learned counsel for the petitioners, O.P. No. 2 and
learned APP for the State.

The petitioners are apprehending their arrest in a case initially registered under Sections 323, 504, 498A, 494, 120B, 307 of the Indian Penal Code and 3/4 of Dowry Prohibition Act but cognizance has been taken under Sections 323, 498A/34 of the Indian Penal Code only.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The



petitioners have 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 petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bhagalpur in connection with Complaint Case No. 2554 of 2014, 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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