

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49776 of 2018

Arising Out of PS. Case No.-854 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Shashi Bhaskar Son of Baijnath Prasad Gupta, resident of Village- Waliganj,
Dharhara, P.S.- Ara Town, District- Bhojpur, Ara. Petitioner/s
Versus

1. The State of Bihar.
2. Rubi Kumari Verma @ Rubi Devi D/o Dayanand Prasad W/o Shashi Bhaskar
resident of Village- Waliganj, Dharhara, P.S.- Ara Town, District- Bhojpur, at
present Village- Bikas Nagar Bihta, P.S.- Bihta, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad
For the Opposite Party/s : Mr. Sri Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2018 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, 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., Danapur in connection with Complaint Case No. 854(C)/2017, 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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