

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33038 of 2018

Arising Out of PS. Case No.-68 Year-2017 Thana- MAHILA P.S. District- Bhabhua (Kaimur)

Bhola Patel @ Bhola Kumar son of Late Baijnath Patel Resident of Village -
Tetarahar, P.S. Sikraul Lakh, District - Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Chandani Devi wife of Bhola Kumar D/o Jai Govind Rai Resident of Village Tetarahar, P.S. - Sikraul, District Buxar. At present address Shivpur, Mohania, P.S. - Mohania, District - Kaimur at Bhabua.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Rajani Kant Pandey, Advocate
For the State	:	Mr. Murlidhar, APP
For opposite party No.2	:	Mr. Tribhuwan Narayan, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 10-07-2018 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 Sections 498A, 120B of the Indian Penal Code and $\frac{3}{4}$ 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/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, Kaimur at Bhabua in connection with Bhabua Mahila P.S. case No.68 of 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.

Narendra/-

(Sudhir Singh, J)

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