

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54449 of 2018

Arising Out of PS. Case No.-13 Year-2018 Thana- MAHILA P.S. District- Banka

Abhay Kumar Mandal @ Vikki Mandal Son of Papul Mandal@ Nand
Kishore Mandal Resident of Village- Chandpur, Police Station- Dhoraiya,
District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-09-2018 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, 34 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, 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., Banka in connection with Banka (Mahila) P.S. Case No. 13/2018, 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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