

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46948 of 2017

Arising Out of PS.Case No. -424 Year- 2016 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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1. Suchen Yadav Son of Sri Ramchandra Yadav Resident of village-
Jharkaha Tola (Khap) ward no.- 15, P.S.- Shankarpur, District- Madhepura

.... Petitioner

Versus

1. The State of Bihar

2. Kiran Devi D/o Rajendra Yadav Resident of village- Parsahi Tola
Simrahi ward no.-1, P.S.- Kumarkhand, District- Madhepura

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 19-01-2018

Heard learned counsel for the petitioner, learned
counsel appearing for the State and learned counsel for the O.P.
No.2.

The petitioner is apprehending his arrest in a case
instituted under Sections 323, 498(A), 504/34 of the Indian Penal
Code and 4 of D.P. Act.

The allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of the demand of
dowry.

Vide order dated 03.10.2017, the matter was referred to
the Patna High Court Mediation and Conciliation Centre, Patna.

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. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State and counsel for the O.P. No.2, it has been submitted that the petitioner and the O.P. No.2 are residing together happily.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No.424/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Madhepura, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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