

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34264 of 2018

Arising Out of PS.Case No. -3157 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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Chandan Kumar, S/o Ganesh Kumar, R/o Vill.- Near Baba Mistan Bhandar,
Bich Bazar, Kurtha, P.S.- Kurtha, District- Arwal.

.... Petitioner

Versus

1. The State of Bihar.
2. Pooja Kumari, W/o Chandan Kumar, R/o Vill.- Near Baba Mistan Bhandar, Bich Kurtha, P.S.- Kurtha, Distt.- Arwal, presently residing at Near Kumar Market, Khagaul Road, Mithapur, Jakanpur, Distt.- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Amresh Kumar Sinha, Advocate.

For the O.P. No. 2 : Mr. Ramakant Sharma, Sr. Advocate and
Mr. L. K. Sharma, Advocate.

For the State : Smt. Gulnar Begam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 05-09-2018 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned senior counsel for the opposite

party no. 2.

The petitioner is apprehending his arrest in a case for
the offence registered under Section 498(A) of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfilment of demand of dowry.

By order dated 18.07.2018, the petitioner and
opposite party no. 2 were given an opportunity to explore the



possibility of one time settlement. It has been submitted by learned counsels for the parties that no reconciliation or one time settlement could be arrived.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the 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 further 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.

Learned counsels for the opposite party no. 2 and the State have vehemently opposed and it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned J.M. Ist Class, Patna, in connection with Complaint Case No. 3157 (C) of 2016, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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