

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32278 of 2018

Arising Out of PS.Case No. -991 Year- 2016 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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KISHAN BASFORE @ KISHAN BANSFORE, S/o Babulal Basfore, R/o Mohalla- Barodobha Khuti, Srilanka, P.S.- Falakata District- Jalpaiguri (W.B.), Presently residing at 25 Bn ITBP, P.O.- Tezu, P.S.+ District- Lohit, (Arunachal Pradesh).

.... Petitioner

Versus

1. The State of Bihar.
2. Doli Devi, W/o Kishan Basfore, D/o Indrajeet Basfore, R/o Mohalla- Barodobha Khuti, Srilanka, P.S.- Falakata, District- Jalpaiguri (W.B.). At present Ambedkar Colony, D.S. College Road, Ward No. 25, P.S.- Katihar Town, District- Katihar.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Raghvendra Kumar Singh, Advocate.
For the State : Smt. Meena Singh, A.P.P.
For the O.P. No. 2 : None.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-08-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State. None appears 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.

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 petitioner is in defence service. 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.

On behalf of the learned counsel for the State, 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 C.J.M., Katihar, in connection with Katihar C.A. Case No. 991/2016, 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.

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(Sudhir Singh, J)

