

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5192 of 2018

Arising Out of PS.Case No. -65 Year- 2017 Thana -MAHILA P.S. District- BHOJPUR

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Sandeep Singh @ Sandeep Kumar Singh @ Amod Singh, S/o Late Shri Ram Singh, R/o Village- Chamarpur, P.S.- Shahpur, District- Bhojpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Madhu Kumari @ Madhu Devi, D/o Anugrah Narayan Singh, R/o Chamarpur, P.S.- Shahpur (Bahoranpur O.P.), District- Bhojpur.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Rina Sinha, Advocate.
For the State : Mr. Ram Sevak Choudhary, A.P.P.
For the O.P. No. 2 : Mr. Achintya Anand, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 22-03-2018 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the opposite party no. 2.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 498(A)/34 of the IPC and 3/4 of the D.P. Act.

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

Vide order dated 07.03.2018, an opportunity was given to the petitioner and opposite party no.2 for making one



time settlement.

It has been submitted by learned counsels for the petitioner and opposite party no. 2 that the settlement could not be arrived between the parties and the same has failed.

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.

On behalf of the learned counsels for the State and opposite party no. 2, 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 S.D.J.M. Bhojpur, Ara, in



connection with Mahila P.S. Case No. 65/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The opposite party no. 2, if so advised, may approach before the competent authority/court for redressal of her grievances, if any.

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(Sudhir Singh, J)

