

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52936 of 2018

Arising Out of PS.Case No. -227 Year- 2018 Thana -KESARIA District- EASTCHAMPARAN
(MOTIHARI)

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1. Shailesh Chaudhary @ Shailesh Choudhary, Son of Bhagwan Chaudhary,
Resident of Village- Kesariya Deviganj, P.S.- Kesariya, District- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2018 Heard learned counsel for the petitioner, O.P. No. 2 and
learned APP for the State.

The petitioner is apprehending his arrest in a case registered
under Sections 498A, 341, 323, 307, 34 of the Indian Penal Code
and 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture and
assault upon the victim due to non-fulfillment 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. No offence under Section-307 of the Indian
Penal Code is made out. Rest of the offences are 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 and O.P. No. 2, 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 Sub Divisional Judicial Magistrate, Sadar, Motihari, East Champaran in connection with Keshariya P.S. Case No. 227 of 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)

A.K.V./-

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