

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9440 of 2018

Arising Out of PS.Case No. -64 Year- 2017 Thana -MAHILA PS District- KATI HAR

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Sumit Kumar, Son of Kamlesh Biswas, Resident of Village- Nijhra, P.S
Kadwa, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Musowir, Advocate.
For the State : Smt Renu Kumari, A.P.P.
For the Informant : Mr. Madan Mohan and Mrs.Pallavi Pandey,
Advocates.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 22-03-2018 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A), 323, 504/34 of the
IPC and ¾ 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 05.03.2018, an opportunity was
given to the petitioner and informant for making one time
settlement.

It has been submitted by learned counsels for the



petitioner and informant 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 informant, 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. Katihar, in connection with Mahila P.S. Case No. 64/2017, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

The informant, if so advised, may approach before the competent authority/court for redressal of her grievances, if any.

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(Sudhir Singh, J)

