

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54409 of 2018

Arising Out of PS. Case No.-279 Year-2017 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Nirmal Singh, Son of Late Tapeshwar Singh, Resident of Village- Berath,
P.S.- Chauri, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Baby Devi, W/o Babalu Singh, D/o Uma Shankar Singh, at present resident of
Village- Kuawan, P.S.- Barhmpur, District- Buxar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh
For the Opposite Party/s : Smt Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-09-2018 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party No. 2.

The petitioner is apprehending his arrest in a case registered
under Section 498A of the Indian Penal Code and 4 of Dowry
Prohibition Act.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfilment 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
is father-in-law of the victim. He has falsely been implicated in the
present case due to petty family dispute. The case is 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, 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 S.D.J.M., Buxar in connection with
Complaint Case No. 279/17, 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)

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