

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5933 of 2019

Arising Out of PS. Case No.-17 Year-2017 Thana- MAHILA P.S. District- Nawada

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Ritesh Kumar S/o Rajendra Prasad, Resident of Village - Rajguru Chowk
Rajdevi Ward no.- 9, P.S.- Betiah, Distt.- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Kumar son of Late Bodhi Lal, Resident of Village - Malgodam Patel Nagar, P.S.- Nawada, Distt.- Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Shailendra Kumar Jha, Advocate
For the State : Mrs. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-02-2019 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 323, 307/34 of the Indian Penal Code and ³/₄ 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 has falsely been implicated in the present case. There is no injury report on the record to suggest that Section 307 of the I.P.C. 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 learned counsel for the informant, 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, Nawada in connection with Mahila P.S. case No.17 of 2017, 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)

Narendra/-

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