

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13146 of 2019

Arising Out of PS. Case No.-147 Year-2015 Thana- AURAI District- Muzaffarpur

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KRISHNA KUMAR MAHTO @ KRISHNA KR. MAHTO @
KHUSHNANDAN MAHTO, aged about 27 Years, Male, Son of Ram Lagan
Mahto, Resident of Village - Bajitpur, Post Office and P.S.- Dumara, Distt.-
Sitamarhi, Bihar, Pin 843323.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Basant Kumar Tripathy, Advocate.
For the Opposite Party : Mr.Rina Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-03-2019 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 341, 323, 504, 506,
498(A)/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. The informant gave birth of a
female child and ultimately, she was ousted from the
matrimonial home alongwith her six months old daughter.

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 petitioner is the husband of the victim. 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 C.J.M. Muzaffarpur, in connection with Aurai P.S. Case No. 147 of 2015 (G.R.No. 4949 of 2015), 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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