

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16895 of 2019

Arising Out of PS. Case No.-120 Year-2016 Thana- MAHILA P.S. District- Nalanda

UJJAWAL KUMAR Son of Bishundeo Mahto Resident of Village -
Sarbahada Dih, P.S.- Sarbahada, Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra
For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-04-2019 Heard learned counsel for the petitioner, O.P. No. 2
and learned APP for the State.

The petitioner seeks bail in a case registered under
Sections 498A/307, 323/34 of the Indian Penal Code and $\frac{3}{4}$ of
Dowry Prohibition Act.

Allegation against the petitioner is of committing torture
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 is in custody since 18-01-2019. The petitioner has
falsely been implicated in the present case due to petty family
dispute. Except offence 307, all other offences are triable by the
Magistrate. The petitioner undertakes that he will cooperate in



trial. 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, be released on 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, Nalanda at Bihar Sharif in connection with Mahila P.S. Case No. 120 of 2016.

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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