

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17877 of 2019

Arising Out of PS. Case No.-210 Year-2018 Thana- PATAHI District- East Champaran

Vikash Kumar Son of Sanjay Kumar Resident of Village- Saraia Gopal, P.S.-
Patahi, District- East Champaran

... .. Petitioner

Versus

1. The State of Bihar
2. Mamta Kumari Wife of Vikas Kumar Resident of Village- Saraia Gopal, P.S.- Patahi, District- East Champaran, present address- C/o Shaisesh Thakur, House of Chandru Mishra, Bindakunj, near Doctor Santosh, Mohalla Belvanva, East Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Madhuri Kumari
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-03-2019 Heard learned counsel for the petitioner, O.P. No. 2
and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 498A/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-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 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 and O.P. No. 2 , 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Patahi P.S. Case No. 210 of 2018, 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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