

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26263 of 2019

Arising Out of PS. Case No.-37 Year-2015 Thana- MAHILA PS District- Jamui

Abhinash Kumar @ Abnish Kumar Son of Late Madan Singh Resident of Village - Bhusichak, P.S.- Kharagpur, District - Munger, At Present Resident of Government Quarter, Forest Department, Near Ghora Aspatal, P.S. and District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr.Om Prakash Singh, Advocate
For the State : Mr.Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-04-2019 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner seeks bail in a case registered under Sections 498A, 307, 384, 494 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture and assault upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.03.2019. There is no allegation of tampering of witnesses alleged against the petitioner. There is no injury report in support of the offence under Section 307 of I.P.C. The petitioner has falsely been implicated in the present



case. 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.

Supplementary affidavit has been filed on behalf of the petitioner. Same be kept on the record. Following statements have been made in paragraph nos.4 and 5, which is as follows :

“4. That, so far as maintenance case is concerned the informant was awarded with Rs.25,00/- of interim maintenance while the petitioner intends to pay the same until any order is being passed by this Hon’ble Court.

5. That, the petitioner undertakes to comply the order passed by Learned Court of Principal Judge, Family Court, Jamui.”

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, 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, Jamui in connection with Jamui



Mahila P.S. case No.37 of 2015.

It is expected that the petitioner shall comply with the statements made in paragraph nos.4 and 5 of the supplementary affidavit. If so advised, the parties will be at liberty to file an application before the court below for one time settlement or reconciliation. If any such application is filed on behalf of either of the parties, the matter be referred to the District Mediation Centre.

(Sudhir Singh, J)

Narendra/-

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