

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38160 of 2019

Arising Out of PS. Case No.-3 Year-2019 Thana- MAHILA P.S. District- Nalanda

=====

NIRAJ KUMAR VERMA Son of Deenanath Mahto Resident of Village -
Kanhaipur, P.S.- Mokama, Distt - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babita Kumari Wife of Niraj Kumar Verma, D/o Damodar Prasad Resident
of Village and P.O. - Rana Bigha, P.S.- Dipnagar, Distt - Nalanda.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ravi Bhardwaj
For the Opposite Party/s : Mr.Binod Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-06-2019 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for O.P. No. 2.

The petitioner seeks bail in a case instituted for the
offences under Sections 341, 323, 504, 506, 498(A), 34, 313 of the
Indian Penal Code and Sections 3/4 of the 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 19.4.2019 and has got no criminal
antecedent. There is no allegation of tampering of witnesses alleged
against the petitioner. Charge-sheet has been submitted in the present
case. The petitioner has falsely been implicated in the present case



due to petty family dispute. There is no medical evidence in support of the offence under Section 313 of the Indian Penal Code. 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, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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 Chief Judicial Magistrate, Biharsharif in connection with Mahila P.S. Case No. 03/2019.

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)

Pankaj/-

U			
---	--	--	--

