

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55835 of 2019

Arising Out of PS. Case No.-9 Year-2018 Thana- MAHILA P.S. District- Sheohar

VIJAY RAY, aged about 30 years, Male, Son of Ram Bali Ray @ Ram Vali Ray, Resident of Village - Ambakala, P.S. - Piprahi, District – Sheohar.

... .. Petitioner

Versus

1. The State of Bihar.
2. Mela Devi, Wife of Vijay Ray, D/o- Lalan Patel, Resident of Village - Rusulpur, P.S. - Mejarganj, District - Sitamarhi.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr.Hans Lal Kumar, Advocate.
For the State	:	Mr.Mukeshwar Dayal, A.P.P>

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 323, 341, 498(A), 494/34 of the IPC.

The prosecution story, in brief, is that the petitioner and other accused persons tortured the victim due to non-fulfilment of demand of dowry. The victim came to know that the petitioner performed another marriage with another woman.

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 counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

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 S.D.J.M. Sheohar, in connection with Sheohar (Mahila) P.S. Case No. 09/18, 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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