

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64227 of 2019

Arising Out of PS. Case No.-29 Year-2019 Thana- MAHILA P.S District- West Champaran

KISHUN DAYAL RAI, aged about 22 years (Male), Son of Bachha Rai, Resident of Tijanagar Mangalpur, P.S.- Laukariya, Distt - West Champaran. At present resident of Village - Tijanagar Malkauli, P.S.- Bagaha, Distt - West Champaran.

... .. Petitioner

Versus

1. The State of Bihar.
2. Punita Devi (F), Wife of Kishun Dayal Rai, resident of Village - Tijanagar Malkauli, P.S.- Bagaha, Distt - West Champaran. At present address - Punita Devi, Wife of Kishun Dayal Rai, D/o Anand Rai, Village - Ramnaga Purani Bazar, P.S.- Ramnagar, Distt - West Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr.Arvind Kumar, Advocate.
For the State	:	Mr.Dr. Kumar Uday Pratap, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 16-10-2019 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Section 498(A)/34 of the IPC and 3/4 of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 06.07.2019. The petitioner has got no criminal antecedent. He has falsely been implicated in the present case due to petty



family dispute. There is no allegation of tampering with the witnesses alleged against the petitioner. 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 counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

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 the learned S.D.J.M. Bagaha, West Champaran, in connection with Mahila P.S. Case No. 29/2019.

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)

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