

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68770 of 2019

Arising Out of PS. Case No.-14 Year-2019 Thana- MAHILA P.S. District- Banka

NAKUR KUMAR @ NAKUL KUMAR @ NAKUL KUMAR SAH Son of
Ishwar Sah Resident of Village - Naya Tola, Fulwari (Gareri Tola), P.S.- and
Distt - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-11-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered
under Sections 498A, 494/34 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 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. On earlier occasion also, the informant has
lodged a case of similar nature against the petitioner and his other
family members. 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, 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 Sub Divisional Judicial Magistrate, Banka in connection with Mahila P.S. Case No. 14 of 2019, 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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