

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70854 of 2019

Arising Out of PS. Case No.-1895 Year-2017 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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MANISH KUMAR Son of Dinesh Prasad Singh Resident of Village -
Mofatlal Lane, Motijheel, P.S.- Town (In Complaint Case P.s.- Mitijheel has
Wrongly Written), distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shobha Kumari W/o Manish Kumar, D/o Ranjeet Kumar Resident of Village
- Mohani Mandal, P.S.- Majorganj, distt.- Sitamadhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yugal Kishore
For the Opposite Party/s : Mr.Tapeshwar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered
under Sections 341, 323, 354C, 307, 498A 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 the
petitioner has got no criminal antecedent. 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. There is no injury report in support of the offence under
Section 307 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 and O.P. No. 2 , 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, Sadar, Sitamarhi in connection with Complaint Case No. (CI) 1895 of 2017, 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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