

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81959 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- MAHILA P.S. District- Samastipur

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BHARAT BHUSHAN @ BHARAT BHUSHAN JHA Son of Shri Shashikant
Jha Resident of Village - Rampur Bahor (Kaina), Police station- Singhiya,
District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rashmi Kumari Wife of Bharat Bhushan @ Bharat Bhushan Jha, and
daughter of Jaivir Pathak Resident of Mohalla - Kashipur behind Masjid,
Police Station - Samastipur Nagar, District - Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parashuram Singh
For the Opposite Party/s : Mr.Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered
under Sections 313, 323, 341, 498A, 504, 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 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 medical evidence to show that any offence under
section 313 IPC is made out. 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 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 Sri Abhishek Kumar, J.M., 1st Class, Samastipur in connection with Mahila P.S. Case No. 41 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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