

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75587 of 2019

Arising Out of PS. Case No.-130 Year-2018 Thana- MAHILA P.S. District- Nalanda

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BHOLA PRASAD @ BHOLA KUMAR @ BHOLA RAM Son of Rajeshwar Prasad @ Rameshwar Prasad Resident of Village- Bardaha, P.S.- Khudaganj, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anjula Kumari Wife of Bhola Prasad Resident of Village- Bardaha, P.S.- Khudaganj, District- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad
For the Opposite Party/s : Mrs. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 27-09-2021 Heard learned counsel for the petitioner and learned APP
for the State.

The matter has been pending since 2019. Hence, the petitioner presses that let the order be passed on merit.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 504, 506/34, 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. 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 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 twelve 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 Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Mahila P.S. Case No. 130 of 2018, 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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