

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7398 of 2020

Arising Out of PS. Case No.-63 Year-2019 Thana- MAHILA P.S. District- Nalanda

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MUKESH ANAND @ MUKESH ANAND SINGH @ KUMAR MUKESH ANAND SINGH @ MUKESH KUMAR ANAND S/o Umesh Kumar Singh R/o village- Chhoti Malawan, P.S.- Sarmera, District- Nalanda, and presently resident of Adalhatu Near Shivaji Park, P.S/- Bariatu, Morabadi, District- Ranchi (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shuruti Priya Sinha W/o Mukesh Anand Singh, D/o Dhanushdhari Prasad R/o village- Karkayan, P.S.- Ghoswari, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Rajeev Kumar, Advocate
For the State	:	Mrs.Sharda Kumari, APP
For opposite party No.2	:	Mrs. Meena Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

- 3 29-10-2021 The present application has been filed on 01.02.2020.
- Vide order dated 28.02.2020 passed by a Co-ordinate Bench of this Court, the matter was to be listed in the Chambers.

On behalf of the petitioner, it has been submitted that due to Covid-19 pandemic, the matter could not be taken up in the Chambers. Hence, Counsel for the petitioner submits that the application be heard on merit since it has been pending for more than one and half years.

Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party No.2



through virtual mode.

The petitioner is apprehending his arrest in connection with Mahila P.S. case No.63/2019 registered under Sections 498A, 341, 323, 504/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment 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. 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 and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or 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/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bihar Sharif, Nalanda in connection with Mahila P.S. case No.63/2019, 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. In case, any such application is made by either of the parties, the court below shall refer the matter to the District Mediation Centre.

(Sudhir Singh, J)

Narendra/-

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