

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8865 of 2020

Arising Out of PS. Case No.-3515 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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PINTU KUMAR SINGH @ PINTU KUMAR Son of Raju Prasad Resident of
Village - Sonupur Nakhas P.O. Nakhas, P.S.- Sonepur, District - Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mohani Kumari Wife of Pintu Kumar Singh Resident of Village - Salimpur
Ahra, Lane No. 2, P.S.- Gandhi Maidan, District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mrs.Madhuri Kumari, Advocate
For the State : Mr.Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-10-2021 The present application has been filed on 06.02.2020.

Vide order dated 29.02.2020, notices were issued upon the opposite party No.2 by a Co-ordinate Bench of this Court. As per the office note dated 04.10.2021, it has been reported that the service report with the petition returned with the report “notice returned as it received after execution date, kept at Flag S”.

On behalf of the petitioner it has been submitted that the present application has been pending for more than one and half years. Hence, the application be heard on merit.

None appears on behalf of the opposite party No.2.

Heard learned counsel for the petitioner and learned



APP for the State through virtual mode.

The petitioner is apprehending his arrest in connection with Complaint case No.3515(c) of 2018 registered under Sections 498A 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, 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 Sub Divisional Judicial Magistrate, Patna in connection with Complaint case No.3515(c) 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. 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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