

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14779 of 2020

Arising Out of PS. Case No.-135 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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BABALOO PAL @ BABLU KUMAR Son of Shankar Pal Raut @
Umashankar Pal Resident of Village - Gopalpur, P.S.- Kalyanpur, Distt -
Samastipur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Priyanka Kumari Wife of Babaloo Pal, D/o Ramnarayan Raut Resident of
Village - Bhawanipur, P.S.- Sakari, Distt - Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar
For the Opposite Party/s	:	Mr.Tapeshwar Sharma
		Mr.Gopal Jha

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-12-2021 Heard the parties.

The petitioner apprehends his arrest in a case registered under sections 323, 341, 379, 498(A), 504, 34 of the IPC and section 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 and of ousting the complainant from her matrimonial house.

It is submitted by learned counsel for the petitioner that petitioner is an innocent person and has committed no offence. Petitioner has never made any dowry demand and has been



falsely implicated in the present case due to grudge. He has neither tormented her over demand of dowry nor drove her out of her matrimonial house. There is general and omnibus allegation against the petitioner. Reliance has been placed 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.*** It is submitted that the petitioner is ready and willing to keep his wife with full honour and dignity.

It is submitted by learned counsel for the informant that the informant-wife of the petitioner is also ready and willing to reside with the petitioner, provided, she is not tortured.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his 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.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with C.R. Case No.135/2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



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.

(Anjani Kumar Sharan, J)

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