

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21400 of 2020

Arising Out of PS. Case No.-408 Year-2017 Thana- COMPLAINT CASE District- Jamui

CHANDAN KUMAR RAI @ GUDDU Son of Bhuvneshwar Ray Resident of
Village- Rajwara, P.S.- Fullidumar, District- Banka.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Pratima Devi Wife of Chandan Kumar Rai @ Guddu, Daughter of Late Kapildev Singh Resident of Village- Gudiya Basmata, Panchayat- Harla, P.S.- Luxmipur, District- Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-10-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

Learned counsel for the petitioner submits that the present application was filed on 25-06-2020. By order dated 22-07-2020, notices were to be issued upon O.P. No. 2 and the petitioner was granted provisional anticipatory bail. Counsel for the petitioner submits that the matter is pending for more than a year. Hence the present application be disposed of on merit.

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 petitioner is husband of the victim. Cognizance has been taken under Section 498A of the Indian Penal Code. The offence is triable by 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 of the case, the provisional anticipatory bail granted to the petitioner vide order dated 22-07-2020 is, hereby, confirmed.

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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