

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33284 of 2020

Arising Out of PS. Case No.-15 Year-2020 Thana- MAHILA P.S. District- Patna

RAKESH KUMAR Son of Rambhaju Prasad Resident of Village- Haldi Chapra Nayaka Tola, P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pooja Kumari Wife of Rakesh Kumar, Daughter of Bipendra Kumar Resident of Village- Etwarpur (New), P.O.- Kurthaul, P.S.- Parsa Bazar, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Vijay Shankar Shrivastava, Advocate
For the State	:	Mr. Chandra Bhushan Prasad, APP
For the O.P. No.2	:	Mr. Ghanshyam Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-02-2021 Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

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

The petitioner is apprehending his arrest in a case registered under Sections 498A, 504, 506 of the Indian Penal Code.

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 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 six 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 Smt. Madhu Singh, J.M. 1st class, Patna in connection with Mahila P.S. case No.15 of 2020, 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)

Narendra/-

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