

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35251 of 2020

Arising Out of PS. Case No.-109 Year-2018 Thana- NAYAGAON District- Saran

Uma Nath Singh S/o Late Jay Ram Singh resident of village- Thakaniya, P.s.-
Chandi, District- Nalanda, At present -Resident of Nepali Colony, Sector No.
1, P.s.- City, District- Bokaro (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar
For the Opposite Party/s : Mr.Binod Kumar, APP
For the informant : Mrs. Chhaya Kirti

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-03-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 376, 498(A), 420, 504,, 120(B), 34 of
the Indian Penal Code, 3 of POCSO Act and 3 and 4 of Dowry
Prohibition Act.

Allegation against the accused person is of
establishing physical relation upon the victim and thereafter
denying the said marriage.

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 petitioner happens to be father-in-law of the victim. The said relationship is denied by the petitioner. It is submitted that as per the F.I.R. itself, the son of the petitioner established physical relationship on the pretext of marriage. The said marriage in question is denied by the petitioner. The other co-accuseds have been granted anticipatory bail vide Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case.

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 1st Additional Sessions Judge, Saran at Chapra in connection with Nayagaon P.S. Case No. 109/2018, 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)

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