

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58801 of 2021

Arising Out of PS. Case No.-801 Year-2019 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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1. Mukesh Kumar @ Babloo Kumar, aged about 47 years, Male, Son of Late Anil Singh, R/O Village- Nanda Bigha, P.S.- Harnaut, District- Nalanda.
 2. Rinki Devi @ Rinku Devi, aged about 38 years, Female, Wife Of Mukesh Kumar @ Babloo Kumar, R/O Village- Nanda Bigha, P.S.- Harnaut, District- Nalanda.

... .. Petitioners

Versus

1. The State of Bihar.
2. Bebi Kumari, aged about 44 years, Female, Wife of Mukesh Kumar, R/O Village- Nanda Bigha, P.S.- Harnaut, District- Nalanda, at present Baby Kumari, Daughter of Late Ramchandrar Singh, Resident of Murera, P.O.- Bakepur, Machhaldiha, Awan, P.S.- Fatuha, District- Patna.

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Indu Bhushan, Advocate
For the State	:	Mr. Madan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-11-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners are apprehending their arrest in connection with Complaint Case No. 801C/2019 for the offence registered under Section 498(A) of the I.P.C.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the victim due to non-



fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. They have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioner no. 1 is the husband of the victim and petitioner no. 2 is the second wife of petitioner no. 1. The case is triable by the Magistrate. The petitioners have further 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 learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances of the case, let the petitioners 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) each with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Nalanda, Bihar Sharif, in connection with Complaint Case No. 801C/2019, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, petitioner no. 1 and opposite party no. 2 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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