

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12166 of 2021

Arising Out of PS. Case No.-986 Year-2018 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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SURAJ SINGH SON OF SRI BALESHWAR SINGH R/O VILLAGE-
BANSIPUR, P.S.-SAMBHUGANJ, DISTRICT-BANKA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. BABITA DEVI @ BABY DEVI W/O SRI DHARMENDRA PRASAD
SINGH R/O VILLAGE-MANIKPUR, P.S.-RATANPUR, P.S.-SAHKUND,
DISTRICT-BHAGALPUR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-04-2022 Heard learned counsel for the petitioner and learned APP
for the State. Though, in compliance of the order dated
11.01.2022, notice was issued upon opposite party no.2 and as
per office notes, the O.P. No.2 has personally received the notice
but today when the case is called out, nobody appears on behalf
of the opposite party no.2.

The petitioner apprehends his arrest in a case registered
u/s 498 (A) of the IPC and section 4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfillment of demand of dowry.

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. 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*. It is submitted that the petitioner is ready and willing to keep his wife with full honour and dignity.

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 Complaint Case No.986 of 2018, 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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