

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10364 of 2022

Arising Out of PS. Case No.-485 Year-2019 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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JAINENDRA KUMAR ANJAN SON OF LATE LOKNATH SHARMA R/O
VILLAGE- KHANETHI, P.S.- SONHAN, DISTRICT- KAIMUR AT
BHABUA

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. PREMLATA DEVI WIFE OF JAINENDRA KUMAR ANJAN R/O
VILLAGE- KHANETHI, P.S.- SONHAN, DISTRICT- KAIMUR AT
BHABUA, AT PRESENT RESIDENT OF VILLAGE- JALALPUR, P.S.-
SONHAN, DISTRICT- KAIMUR AT BHABUA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Parwej Khan, Adv.
For the Opposite Party/s	:	Mrs.Shaheen Begum, APP
For the O.P. No.2	:	None

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-08-2022 Heard learned counsel for the petitioner and learned APP
for the State. However, nobody appears on behalf of the O.P.
No.2 although the name of her counsel is appearing in the daily
cause list.

Learned counsel for the petitioner undertakes to remove
the defects within three weeks. In the eventuality of non-
removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner apprehends his arrest in a case registered
under sections 498(A) of the IPC.



Allegation against the petitioner is of committing mental and physical torture upon the victim. It is also alleged that the petitioner solemnized second marriage and ousted the informant out of the matrimonial house.

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 torture upon the victim and has been falsely implicated in the present case due to grudge. It is submitted that petitioner is an old man aged about 65 years and she herself does not want to live with the petitioner. 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 still 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.485 of 2019, 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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