

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12395 of 2022

Arising Out of PS. Case No.-120 Year-2021 Thana- MAHILA P.S. District- Araria

BIPIN MANDAL S/o Laxmi Mandal R/o village- Tharba Patti, Ward No. 12,
P.S.- Bhargama, District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kavita Devi W/o Bipin Mandal, D/o Umanand Mandal R/o village- Garrha,
Ward No. 10, P.S.- Jogbani, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mrigendra Kumar, Adv
For the Opposite Party/s	:	Mr. Kanhaiya Kishore, APP
For the Informant	:	None

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-08-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Though Vakalatnama has been filed on behalf of O.P.
No.2 but when the case is called out nobody appears on her
behalf.

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), 341, 323, 506, 494 and 34 of the IPC.

Allegedly, the petitioner along with other family members



started torturing and harassing the informant for giving birth to female child and also demanded for dowry. On objection, the petitioner and his family members ousted the informant from her matrimonial house. It is further alleged that her husband has solemnized second marriage.

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. He has never made any dowry demand from the informant. 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 Mahila P.S. Case No.120 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.

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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