

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27255 of 2023

Arising Out of PS. Case No.-220 Year-2021 Thana- COMPLAINT CASE District- Jamui

Chandan Mandal Son Of Late Dhirendra Mandal Resident Of Village -
Kankarehar, P.S. - Laxmipur, Distt. - Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nilu Kumari Wife Of Chandan Mandal Resident Of Village - Kankarehar,
P.S. - Laxmipur, Distt. - Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Pankaj Kumar Sinha, Advocate
For the State	:	Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 323, 341, 307, 354, 354B, 376, 376G, 498A/34 of the Indian Penal Code, but cognizance has been taken under Sections 323, 341, 498A of the Indian Penal Code and Sections 4(1) and 5(1) of the Immoral Traffic (Prevention) Act, 1956.

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

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 for oblique reasons. The petitioner happens to be the husband of the complainant. Prior to institution of the present complaint case, a case was instituted by the petitioner vide Annexure 3 to the present application at Bangalore, State of Karnataka, making an allegation in respect of missing of his wife and children. It is further submitted that the wife of the petitioner had gone into a wrong company and involved in illegal activities. Said case was instituted on 01.12.2020 and the present complaint case was filed on 15.02.2021. Delay has not been explained by the prosecution. 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.***

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

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 twelve 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 Court below/concerned Court in connection with Complaint case No.220/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The petitioner is directed to co-operate during the trial. If the petitioner does not co-operate during the trial, the court below will be at liberty to cancel the bail bonds of the petitioner.

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)

Narendra/-

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