

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23673 of 2023

Arising Out of PS. Case No.-1564 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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BABLOO KUMAR @ BABLU KUMAR, aged about 33 years, Gender-Male, Son of Late Ram Narayan Rai, Resident of Mohalla-Naya Tola, Saristabad, P.S. - Gardanibagh, District - Patna.

... .. Petitioner

Versus

1. The State of Bihar.
2. Babita Kumari, aged about 32 years, Gender-Female, Wife of Babloo Kumar, daughter of Late Rajendra Prasad, Resident of Village - Beg Kalu Khan, Lodi Katria, P.S.- Khajekalan, District - Patna.

... .. Opposite Parties

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Appearance :

For the Petitioner : M/S. Jagjit Roshan and Amit Kumar, Advocate
For the State : Mrs. Sharda Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-06-2023 Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 498(A), 341, 323 and 504 of the I.P.C.

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

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the



present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioner. On the earlier occasion, one more case was instituted for the same offence by the same parties. The petitioner is the husband of the victim. The case is triable by the Magistrate. The petitioner has 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 and learned counsel for the opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of learned court below/concerned court, in connection with Complaint Case No. 1564 of 2019, 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)

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