

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36698 of 2023

Arising Out of PS. Case No.-72 Year-2022 Thana- MAHILA P.S. District- Patna

Deepak Verma, aged about 29 years, Male, Son of Sunil Kumar Verma,
Resident of Mohalla- Ramayan Nagar, Chondi, Ward No. 5, Barh, P.S.- Barh,
Distt- Patna.

... .. Petitioner

Versus

1. The State of Bihar.
2. Simran Kumari, daughter of Sanjay Kumar, Resident of Village- Barh Bazar
Balipur, Ward No. 20, P.S.- Barh, Distt- Patna.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Nagendra Kumar Singh, Advocate
For the State	:	Mr. Rajesh Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

6 06-12-2023 A jointness petition filed on behalf of the petitioner
has already been accepted on 06.11.2023.

2. Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

3. Heard learned counsel for the petitioner, learned
counsel for the opposite party no. 2 and learned Additional
Public Prosecutor for the State.

4. The petitioner is apprehending his arrest in
connection with Mahila P.S. Case No. 72 of 2022 dated
12.06.2022 registered for the offence punishable under Sections
498A/34 of the I.P.C.



5. As per the prosecution case, the petitioner and other co-accused persons are alleged to have subjected to cruelty, torture, harassment and threatened the informant. It is further alleged that the petitioner has illicit relationship with another girl.

6. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The petitioner neither demanded any dowry nor tortured the informant. It is submitted that the petitioner is the husband of the informant and he has no concern with the alleged offence. It is further submitted that other family members of the petitioner have already been granted anticipatory bail by the learned court below itself. The informant does not want to stay at her matrimonial house. Earlier on 31.03.2021 and 25.04.2022, the petitioner had filed Informatory Petition (Case) Nos. 229 of 2021 and 329 of 2022 before the learned A.C.J.M., Barh. He has also filed Matrimonial (Divorce) Case No. 174 of 2022 in the court of learned Principal Judge, Family Court, Patna and thereafter the informant had filed the present case against the petitioner and his family members. Learned counsel for the petitioner has relied upon the judgments 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***” and in the case of ***Satendra Kumar Antil Vs. Central Bureau of Investigation and Another (2022) 10 SCR 351*** and ***Md. Asfak Alam Vs. The State of Jharkhand & Anr.*** passed in ***Criminal Appeal No (s). 2207 of 2023 arising out of Special Leave Petition (CRL.) No. 3433 of 2023.*** Learned counsel for the petitioner has further submitted that Section 498(A) of the Indian Penal Code is triable by the Magistrate. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

7. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

8. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna Sadar, Patna in connection with Mahila P.S. Case No. 72 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

9. 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.

10. The application stands allowed.

(Chandra Prakash Singh, J)

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