

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51519 of 2023**

Arising Out of PS. Case No.-7992 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Ram Singh Son Of Nathun Singh R/O-Kewra, P.S.-Punpun, Distt.-patna

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Beauty Devi Daughter Of Vijendra Singh R/O-Devkali, P.S.-PIPRA, Distt.-PATNA. Presently Residing At C/O Babu Saheb, Mohalla-Jagat Narayan Road, P.S.-KADAMKUAN, Distt.-PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alexander Ashok, Advocate
For the Opposite Party/s : Mr. Veena Kumari Jaiswal, A.P.P.

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

ORAL ORDER

3 09-11-2023 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.

2. Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in

connection with Complaint Case No. 7992C of 2022 dated

13.07.2022 registered for the offence punishable under

Sections 498A, 379, 307, 323, 324, 504, 506 and 120B of

the Indian Penal Code.

4. As per the prosecution case, the petitioner and



the co-accused persons are alleged to have tortured the informant mentally and physically due to non-fulfillment of demand of Rs. 1,00,000/- as dowry. The accused persons including petitioner also ousted the complainant from her matrimonial house. It has been further alleged that petitioner along with accused Nikku Singh came at the house of the house of the complainant and assaulted her and took away Rs. 2,000/- cash and some documents.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. It is further submitted that the complainant never wanted to live with the petitioner and was in relationship with another man namely, Visa Yadav with whom she went to Surat, Gujarat and lives with the said Visa Yadav. It is further submitted that the complainant has instituted the present false case only to implicate the petitioner and his family members and create pressure upon them. It is further submitted that the present case has been filed after 10 years of marriage. 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." Learned counsel has further submitted that Section 498A of the IPC is triable by the Magistrate. Learned counsel has further relied on the judgments 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.** The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

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

7. 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/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Patna in connection with Complaint Case No. 7992C of 2022,



subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. 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.

9. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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