

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50693 of 2022

Arising Out of PS. Case No.-982 Year-2021 Thana- COMPLAINT CASE District- Jamui

SUNIL SINGH S/O LATE BISHESHWAR SINGH Resident of village- Gadi
Bukar, P.S.- Jamui, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. NAINA DEVI W/O SUNIL SINGH Resident of village- Dharampur, P.S.-
Khaira, District- Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Pd. Keshri

For the Opposite Party/s : Mr.Madan Kumar

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

ORAL ORDER

2 04-01-2023 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.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case
registered for the offences punishable u/s 323, 341 and 498A of
the Indian Penal Code.

As per the prosecution case, the informant married
the petitioner about 30 years ago as per Hindu rites and custom
but they have no child. The petitioner used to assault and
torture her and also had illicit relationship with his sister-in-law.



Lastly, the petitioner ousted the informant from her matrimonial home.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case due to petty family dispute. The petitioner is suffering from several diseases. There is no allegation of tampering of evidence against the petitioner. The petitioner is husband of the victim. All the offences as alleged against the petitioner are triable by the Magistrate. 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. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the material available on the record, 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 learned Court concerned, Jamui in



connection with Complaint Case No. 982 of 2021, subject to 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.

This application stands allowed.

(Chandra Prakash Singh, J)

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