

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56183 of 2022

Arising Out of PS. Case No.-385 Year-2021 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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BISHNU KUMR @ RAHUL @ BISHNU PRASAD S/o Krishna Prasad R/o
Village- Raypur Chor, P.S.- Shivsagar, Distt- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarita Devi W/o Bishnu Kumar @ Rahul @ Bishnu Prasad R/o Village-
Raypur Chor, P.S.- Shivsagar, Distt- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Kumar Deo
For the Opposite Party/s : Mr. Pushpa Sinha.1
Mr. Ajay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 07-02-2023 Heard learned counsel for the petitioner and
learned counsels for the State as well as opposite party no. 2.

The petitioner apprehends his arrest in connection
with Complaint Case No. 385 of 2021 registered under Sections
498A, 406, 323, 341, 379 of the Indian Penal Code and 3/4 of the
Dowry Prohibition Act pending in the Court of C.J.M., Sasaram,
Rohtas.

Submission of learned counsel for the petitioner is
that petitioner is husband of the complainant. He is innocent and
has falsely been implicated in the present case. Further he
submits that petitioner has no criminal antecedent.

Learned A.P.P. appearing on behalf of the State



being assisted by the learned counsel appearing for the opposite party no. 2 opposed the prayer of the petitioner by contending that vide order dated 03.01.2023, the case was referred to the Mediation and Conciliation Centre for settlement of the disputes with the consent of both the parties with further direction not to take coercive steps against the petitioner in the meantime. But in spite of that, the petitioner did not appear before the Mediation and Conciliation Centre, whereas the opposite party no. 2 Sarita Devi appeared on each and every date, as is evident from the Mediator's Report dated 06.02.2023 at Flag 'Z'. He also submits that the intention of the petitioner is only to harass the opposite party no. 2 by taking benefit of interim relief.

Having considered the above facts and circumstances of the case and the report of the Mediation and Conciliation Centre dated 06.02.2023, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer of the petitioner is rejected with a cost of Rs. 50,000/- to be deposited by the petitioner with the Patna High Court Legal Services Committee, Patna within four weeks from today.

shailendra/-

(Arvind Srivastava, J)

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