

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14182 of 2024

Arising Out of PS. Case No.-395 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Shashi Bhushan S/O Sri Jaynandan Prasad Mohalla- Rajiv Nagar, Road No.
16, Thana- Ragiv Nagar, Dist. Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sudha Kumari W/O Shashibhusan, D/O Sri Pramod Prasad At Present Working As Senior Associate Manager In Csr (CORPORATE Social Responsibility) Of Hcl, Foundation, Lucknow, 5th Floor, Saran Chamber, Jopling Road, Neer Dhan Nirman Complex, Hazaratganj, Lucknow U.P. Pin 226600, Resident Of C/O Pramod Prasad, Near Terighat Mohalla- Khajekala, Ps. Khajekhala, Patna City Dist.- Patna- 800008.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Ranjan Sinha, Adv
For the Opposite Party/s	:	Mr.Dilip Kumar No. 1, APP
		Mr. Raj Kishore Jha, Adv
		Mr. Arvind Kumar Mouar, Adv

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 28-03-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 395 of 2021 registered for the offences punishable under section 498A of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act.

3. As per the prosecution case, the petitioner is Senior Section Engineer in South Railway and he along with other co-accused persons are alleged to have tortured



the informant mentally and physically and ousted her from the matrimonial home due to the non- fulfilment of demand of dowry of Rs. 10 lacs.

4. 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 petitioner is the husband of the informant. The petitioner neither demanded any dowry nor tortured the informant. 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.



5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioner. 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 city in connection with complaint Case No. 395 of 2021 subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. 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.

8. The application stands allowed.

N.K/-

(Chandra Prakash Singh, J)

U		T	
---	--	---	--

