

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14347 of 2024

Arising Out of PS. Case No.-848 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Pulak Kumar S/o Late Bachha R/o 306 A, Road no. 3G, New Patliputra
Colony, P.S. - Patliputra, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Renuka Pandey W/o Pulak Kumar D/o Mr. Bhola Nath Pandey, R/o vill -
Mubarakpur, P.S. - Chainpur, Distt. - Siwan Presently Residing at 306/A,
Road No. 3, New Patliputra Colony, P.S. - Patliputra, Distt. - Patna, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Sagrika, Adv.

For the Opposite Party/s : Mr.Renu Kumari, APP

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

ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Complaint Case No. 848(C) of 2023 dated
22.02.2023 registered for the offence/s punishable u/s 313,
120B, 323, 324, 325, 504, 506, 509, 307 and 377 read with
section 34 of the Indian Penal Code and 3, 4 and 6 of the D.P.
Act.

3. 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.



two crores as dowry.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the husband of the informant. The petitioner is posted as Block Development Officer at Lalganj, Vaishali. The petitioner neither demanded any dowry nor tortured the informant. There is general and omnibus allegation against the petitioner. Learned counsel for 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 is also accused in one more criminal case which was filed by the complainant as stated in para 3 of the bail petition. There is no chance of absconding of the petitioner.

5. Learned counsel for the informant as well as



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

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on 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. 848(C) of 2023, 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.

(Chandra Prakash Singh, J)

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