

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58365 of 2023

Arising Out of PS. Case No.-1696 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

Ram Babu Singh, S/o- Harichran Singh, aged about 40 years, R/O Village-
Morsand Bahadurpur, P.S.- Pusa, Dist- Samastipur.

... .. Petitioner

Versus

1. The State of Bihar.
2. Ranju Kumari, aged about 32 years, wife of Ram Babu Singh, R/o- Village
P.O.- Morsand Bahadurpur, P.S.- Pusa, Dist- Samastipur. P/A- D/o- Sri Ram
Chandra Singh, R/o- Pachpaika, P.S.- Ujiyarpur, Dist- Samastipur.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Prabhakar Kumar, Advocate
For the O.P. No. 2	:	M/S. Jainandra Kumar and Ranjeet Choubey, Advocates
For the State	:	Mr. Tarkeshwar Nath Thakur, A.P.P.

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

ORAL ORDER

4 13-02-2024 This matter has been listed under the heading “For
Orders (on office notes)”.

2. Heard learned counsel for the petitioner, learned
counsel for the opposite party no. 2 and learned Additional
Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with C.R. No. 1696 of 2022, T.R. No. 1712 of 2023



dated 30.06.2022 registered for the offences punishable under Sections 323, 504 and 498A of the I.P.C.

4. As per the prosecution case, the petitioner and other co-accused persons are alleged to have tortured the complainant due to non-fulfilment of demand of one motorcycle as dowry.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The petitioner neither demanded any dowry nor tortured the complainant. It is further submitted that the petitioner is the husband of the complainant and he has no concern with the alleged offence. Learned counsel for the petitioner has relied upon the judgments 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” and 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*. Learned counsel for the petitioner has further submitted that Section 498A of the Indian Penal Code is triable by the Magistrate. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.



6. Learned A.P.P. for the State has 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/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Samastipur in connection with C.R. No. 1696 of 2022, T.R. No. 1712 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition:-

I. The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

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)

U.K./-

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

