

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6515 of 2024

Arising Out of PS. Case No.-12185 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Abhishek Kumar Tripathi Son Of Late Vijay Kumar Tripathi Resident Of
Village - Paliganj, P.S. - Paliganj, District - Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Bala Nand Dikshit Son Of Late Rajeshwar Dikshit Resident Of Village -
Dikshit Chak, Sadisopur, P.O. - Sadisopur, P.S. - Bihta, District - Patna, At
Present Resident Of Quarter No.1, Road No.2 Of Mohalla Kajipur, P.S. -
Kadam Kuan, District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey (App 84)

Mr. Mahendra Thakur, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 03-07-2024 Earlier, *vide* order dated 08.05.2024, the matter was

referred to the Mediation and Conciliation Centre, Patna High

Court, Patna, but as per the Mediator's Report (flag 'M'), the

mediation has failed.

2. Heard learned counsel for the parties.

3. The petitioner who is husband of opposite party

No. 2 apprehends arrest in a case registered for the offences

punishable under Sections 417, 498A of the Indian Penal Code.

4. Learned counsel for the petitioner submits

petitioner happens to be husband of the complainant and present

case has been lodged due to petty family dispute. There is

general and omnibus allegation of commission of assault against



him. It is further submitted that petitioner is ready to keep the complainant, as his wife, with full honour and dignity. It is next submitted that the case is triable by the Magistrate. In this connection, petitioner has relied upon a 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**.

5. Learned counsel for the O.P. No. 2 vehemently opposed the prayer for anticipatory bail of petitioner.

6. Considering the aforesaid facts and circumstances, this anticipatory bail is allowed and it is ordered that 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. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class XIV, Patna in connection with Complaint Case No. 12185(C) of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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