

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40621 of 2019

Arising Out of PS. Case No.-280 Year-2015 Thana- NOORSARAI District- Nalanda

Abhay Kumar @ Sintu Kumar @ Sintu Son Of Krit Paswan Resident Of
Village-Daniyawar, P.S-Daniyawar, District-Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Radhika Kumari Daughter Of Ramprit Das Resident Of Village-Ganpura,
P.S.-Noorsarai, District-Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

15 24-03-2025 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned APP for the State.

2. The instant application for anticipatory bail has
been filed by the petitioner apprehending his arrest in a case
instituted for the offence punishable under Sections
498(A)/34, 313 of the I.P.C. and Section 3/4 of D.P. Act.

3. Allegation against the petitioner and other co-
accused is of assaulting, torturing and demand of dowry.
Petitioner is husband of the complainant.

4. From perusal of the mediator's report (Flag 'M-
2'), it appears that the dispute between the parties could not



be settled through the process of mediation. Hence, mediation failed.

5. Learned counsel for the petitioner submits that petitioner is innocent and he has committed no offence. He has falsely been implicated in the present case. Petitioner (husband of O.P. No. 2) is ready to keep his wife (O.P. No. 2) with full honour and dignity but O.P. No. 2 has no interest to lead the conjugal life, with the petitioner, without any just and cogent reason. In para 24 of the Case Diary, the offence under Section 313 of Indian Penal Code has been found false.

6. Learned counsel for the complainant submitted that despite sending information to O.P. No. 2, she chose not to appear in mediation and still, she is not in contact with him.

7. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Noorsarai P.S Case No. 280 of 2015 arising out of Complaint Case No. 481(C) of 2015, he



will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Biharsharif, Nalanda, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Nirajkrs/-

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