

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61492 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- MAHILA PS District- Darbhanga

Pankaj Jha @ Pankaj Kumar Jha S/O Gopal Jha @ Ram Gopal Jha Resident
of Mohalla- Babu Saheb Colony, P.S- Bahadurpur,

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rupam Kumari W/o Pankaj Jha @ Pankaj Kumar Jha, D/O Baidhynath Jha
R/O Village- Nawada, P.S- Bahera, Distt.- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Iqbal Asif Niazi, Advocate
For the State	:	Mr. Shailendra Kumar, APP
For the O.P. No.2.	:	Mr. Ankit Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-01-2025 Heard Mr. Iqbal Asif Niazi, learned counsel for the

petitioner, Mr. Ankit Raj, learned counsel for the Opposite party
no.2 and Mr. Shailendra Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Mahila P.S. Case No. 32 of 2024, F.I.R. dated
09.04.2024 for the offences punishable under Sections 323, 341,
342, 504, 506, 498(A)/34 of the Indian Penal Code and Section
3/4 of the D.P. Act.

3. According to prosecution case, allegation against
the petitioner and other co-accused persons is of committing
torture upon the victim due to non-fulfillment of the demand of



dowry.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that petitioner is husband of the opposite party no.2. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR in fact the petitioner has filed a Complaint Case No.425 of 2024 on 08.04.2024 one day prior to the institution of the present case against the informant and her brother. He further submits that on the next date i.e. 09.04.2024 the informant has filed the present false case against the petitioner and his family members.

5. Pursuant to the direction of this Court vide order dated 20.11.2024, the matter was referred to Patna High Court Mediation Centre for resolving the matter between the parties but the report of the learned Mediator dated 13.12.2024 reveals that inspite of best and sincere efforts, the dispute between the parties could not be resolved through the process of mediation.

6. Learned counsel for the O. P. No.2 as well as learned Additional Public Prosecutor for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submit that there is direct and specific allegation



against the petitioner in the FIR and apart from that petitioner carries one more case other than the present one.

7. In that view of the matter the provisional bail granted to the petitioner vide order dated 20.09.2024 pending in the Court of learned S.D.J.M., Darbhanga in connection with Mahila P.S. Case No. 32 of 2024 is hereby confirmed.

8. Accordingly, this anticipatory bail application stands disposed of.

(Rajesh Kumar Verma, J)

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