

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20499 of 2017

Arising Out of Complaint Case No.. -1610 Year- 2015 Thana -COMPLAINT CASE District-
ARRARIA

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Ashok Bhagat, Son of late Deo Narayan Bhagat, Resident of Village- Dhila
Mohan Tar Tola, Police Station- Simraha, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sarita Devi, Daughter of late Uday Chand Bhagat, Resident of Village-
Dhila Mohan Tar Tola, Police Station- Simraha, District- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.
For the State : Smt. Pushpa Sinha, APP
For O. P NO. 2 : Mr. Gopal Kumar Jha, Adv.

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

3 19-08-2017 Heard learned Counsels for the petitioner, complainant
and the State.

The petitioner, being the husband of the complainant, is
apprehending arrest in a complainant case, wherein process has
been directed to be issued after cognizance being taken for the
offence punishable under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

Learned counsel for the petitioner submits that the
petitioner admits his marriage with the complainant in the year
1992 and birth of three children out of the wedlock, but, the
accusation of further dowry demand of Rupees Two Lacs after



two and half decades of marriage, when the children are major, appears to be unreasonable. However, the petitioner is still ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in paragraph 10 of the petition which reads as follows:-

“That, the petitioner is husband of the complainant and always ready to keep her with full honour, dignity, love, affections and all desires.”

Learned counsel for the complainant submits that the torture is being inflicted by the petitioner, which compelled her to lodge the present case. However, she is ready to accept the offer of the petitioner of resuming the conjugal life.

It is jointly submitted that both sides agree to appear before the learned court below on 8th of September, 2017, when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned SDJM, Araria in connection with Complaint Case No. 1610-C of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, if any dispute with regard to matrimonial harmony further arises, then the learned Court below will make endeavor to get the issue reconcile through Mediation.

(Dinesh Kumar Singh, J)

Ashwini/-

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