

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1011 of 2016

Arising Out of PS.Case No. -25 Year- 2015 Thana -BIRUPUR SAHAYAK District- LAKHISARAI

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Anil Kumar Ram @ Anil Ram Son of Birju Ram residing at Sinthi More,
Khuti Ghat, P.S.- Bara Nagar, Kolkata

.... Petitioner/s

Versus

1. The State of Bihar
2. Renu Devi, D/o Bhola Ram, R/o Kadil, P.O. & P.S. Birupur, District –
Lakhisarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subroteswar De

For the Opposite Party/s : Mr. Abhay Kumar -I(App)

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

13/ 28-03-2017

Heard Mr. Subroteswar De, learned counsel for
the petitioner, Mr. Rajnish Chandra, learned counsel for the
informant-opposite party no. 2 and Mr. J.N. Thakur, learned
counsel for the State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections
498A, 406, 307 of the Indian Penal Code and 3/4 of Dowry
Prohibition Act.

The basic accusation is of torture for non-
fulfillment of the dowry demand and making assault to the
informant.

The informant claims to have married with the



petitioner having no issue.

It is submitted by learned counsel for the petitioner that the petitioner denies the factum of marriage with the informant.

However, both sides decided to resolve the issue on payment of Rs.4,00,000/- (Four lakhs) by the petitioner to the informant and the said amount has already been paid through account payee cheque bearing no. 452168 dated 16.03.2017 drawn on SBI, Khardah Branch and the said cheque has been encashed. The informant agrees for withdrawal/compromise of the present case being Birupur P.S. Case No. 25 of 2015. Both sides mutually agreed that opposite party no. 2 will never claim any kind of matrimonial dispute nor will she claim any maintenance from the petitioner. Statement to that effect has been made in paragraph 7 of the supplementary affidavit which reads as follows:-

“That it is further mutually agreed and settled that opposite party no. 2 will never raise any type of matrimonial dispute against the petitioner nor she will claim any maintenance/cost against the petitioner.”

Counsel for the informant-opposite party no. 2 does not controvert the contention of the learned counsel for the



petitioner and admits that the agreed amount has been paid and the informant will never raise any claim that she was ever married with the petitioner.

Considering the present stand of the parties, let the above named petitioner be released on anticipatory bail in the event of his 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 Additional Chief Judicial Magistrate-II, Lakhisarai in connection with Birupur P.S. Case No. 25 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J.)

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