

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33640 of 2013

Arising Out of PS.Case No. -141 Year- 2011 Thana -BELHAR District- BANKA

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1. Amit Kumar Bhagat S/O Gautam Bhagat Resident Of Khesar, P.S- Belhar, Distt- Banka.
 2. Alok Kumar Bhagat S/O Gautam Bhagat Resident Of Khesar, P.S- Belhar, Distt- Banka.
 3. Gautam Kumar Bhagat S/O Late Ramanand Bhagat Resident Of Khesar, P.S- Belhar, Distt- Banka.
 4. Lalita Devi @ Narmada Devi W/O Gautam Kr. Bhagat Resident Of Khesar, P.S- Belhar, Distt- Banka.
 5. Rajesh Kumar Bhagat S/O Late Raj Kumar Banka. Resident Of Sangrampur, P.S- Sangrampur, District- Banka.
 6. Annu Devi W/O Rajesh Kumar Bhagat Resident Of Sangrampur, P.S- Sangrampur, District- Banka.

.... Petitioners

Versus

1. The State of Bihar
2. Rabindra Bhagat S/O Sri Baj Lal Bhagat Resident Of Dhar Rampur, P.O- Lal Rampur, P.S- Pathargama, District- Godda.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Brij Nandan Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 08-02-2017 Pursuant to the order dated 30.1.2017 petitioner No.1 and his wife Rita Devi are physically present in Court.

Heard learned counsel for the petitioners and learned counsel for opposite party No.2.

This application has been preferred under Section 482 of the Code of Criminal Procedure against the order taking cognizance dated 5.1.2012 passed in Belhar (Khesar) P.S.Case No. 141 of 2011, G.R.No. 1692 of 2011 under Sections 341, 323 and



498A of the Indian Penal Code, passed by learned Sub-Divisional Judicial Magistrate, Banka.

I have talked to petitioner No.1 and his wife and from their statements it appears that there is no such dispute between the parties and the wife of petitioner No.1 is ready to life with her husband and petitioner No.1 is also ready to keep her in his house. Informant of the present case is present in the Court and he also agrees on above proposal.

Considering the aforesaid fact, this application is disposed of with the following directions :-

1. Petitioner No.1 and opposite party No.2 will appear before the court concerned first on 1.3.2017 along with their parents and from where petitioner No.1 will take his wife to his house and they shall try to lead a peaceful happy life.

2. They will have to appear before the court on each month on a date fixed by the court and the court concerned will watch their activities for six months and once being satisfied about their happy married life and on a compromise petition, filed before the court below itself, signed by the complainant and wife of petitioner No.1 also, the court will pass appropriate order, if required, even after conducting the trial on day-to-day basis.

In the meantime, opposite party No.2 undertakes not



to take any step in another case filed by her before the Godda court and shall file an application to that effect before the court.

In case of failure of this exercise, liberty is given to the petitioners to raise all their grievances, which have been raised in the present application, before the court below at the time of framing of charge.

(Vinod Kumar Sinha, J)

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