

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59645 of 2017

Arising Out of PS.Case No. -49 Year- 2017 Thana -AGIAUN District- BHOJPUR

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1. Dhaneshwar Kumar Singh @ Rinku @ Dhaneshwhar Kumar S/o Mahabir Mahto, R/o Village- Poswan, P.S.- Agiaon (G), District- Bhojpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Simpy Devi W/o Dhaneshwar Kumar Singh, D/o Surender Singh, Presently R/o Village- Barhara, P.S.- Charpokhari, District- Bhojpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-12-2017 A joint affidavit is being filed on behalf of the parties.

The same be kept on record.

Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in a case instituted under Sections 498(A)/34 of the Indian Penal Code.

The allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of the demand of dowry.

As per Paras-3 and 4 of the joint affidavit filed on behalf of the parties, the matter has already been settled between the parties. It is as follows:-

“(3) That the opposite party no.2 is ready



to live with her husband/petitioner and ready to withdraw matrimonial case bearing Maintenance Case No.117 of 2017 as well as the present criminal case and the opposite party no.2 also ready to file Compromise Petition in connection with Agiaon (G) P.S. Case No.49 of 2017 to settle the dispute.

(4) That the present joint affidavit is being filed by way of undertaking before the Hon'ble Court and no such type of dispute will arise in future in between the parties.”

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Agiaon (G) P.S. Case No. 49/2017 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Ara, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The court below shall pass an appropriate order in light of settlement arrived between the parties.

(Sudhir Singh, J)

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