

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.3478 of 2019

Arising Out of PS. Case No.-30 Year-2018 Thana- MAHILA PS District- Aurangabad

Sanjay Singh Late Rajbali Singh Resident of Village- Sujanpoor, P.S.- Indrapuri, District- Rohtas at Sasaram at present both R/o- Dhibraupur Chowk, Ashok Vihar Colony, P.S.- City Kotwali, District - Raigarh (Chattisgarh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 6426 of 2019

Arising Out of PS. Case No.-30 Year-2018 Thana- MAHILA PS District- Aurangabad

CHANDAN SINGH @ CHANDAN KUMAR Son of Sanjay Singh Resident of Village - Sujanpoor. At present resident of Dhirbrapur Chowk , Ashok Vihar Colony , PS- City Kotwali, Distt- Raigarh (Chattisgarh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 3478 of 2019)

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Ajay Kumar Jha

For the informant : Dr. (Mrs.) Indihar Kumari

(In CRIMINAL MISCELLANEOUS No. 6426 of 2019)

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Umeshanand Pandit

For the informant : Dr. (Mrs.) Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 16-11-2019 Since both these applications arise out of the same case, with the consent of the parties, both these applications are heard together and are being disposed of by this common order.

Heard learned Counsel for the petitioners, learned



Counsel appearing on behalf of the informant and learned Additional Public Prosecutor for the State.

These applications, for grant of anticipatory bail, arise out of Mahila Police Station Case No. 30 of 2018, disclosing offences under Sections 341/498A/306/511/354/504/506/323/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

There is marriage dispute between the parties inasmuch as the petitioner, Sanjay Singh (in Criminal Misc. No. 3478 of 2019) is the father-in-law of the informant; whereas the petitioner, Chandan Singh @ Chandan Kumar (in Criminal Misc. No. 6426 of 2019) is the husband of the informant.

From perusal of the order, dated 03.04.2019, passed in Criminal Misc. No. 3478 of 2019, it appears that both the parties have amicably decided to separate themselves in life, subject to the condition that a sum of Rs. 19,00,000/- shall be paid by the petitioner, Chandan Singh, to the informant Richa Kumari within a period of seven months in two equal instalments.

Learned Counsel for the petitioners submits that in pursuance of the order, dated 03.04.2019, a total sum of Rs. 19,00,000/- has been paid by the petitioner, Chandan Singh, to the informant Richa Kumari.



Learned Counsel for the informant accepts the submission made on behalf of the petitioners and submits that the entire amount has been received by the informant.

In view of the above, let the petitioners, named above, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Mahila Police Station Case No. 30 of 2018, subject to the conditions (i) laid down under Section 438 (2) of the Code of Criminal Procedure, (ii) The petitioner, Chandan Singh, as well as the informant shall jointly file a petition for divorce on mutual consent under Section 13 B of the Hindu Marriages Act in Civil Suit No. F 193A of 2018, pending before the Court at Chattisgarh, filed by the petitioner Chandan Singh, (iii) the informant shall also withdraw the maintenance case filed by her in the Court of Principal Judge, Family Court, Aurangabad and (iv) the petitioner, Chandan Singh, as well as the informant shall jointly file a compromise petition in the present case, i.e., Mahila Police Station Case No. 30 of 2018.

These applications are allowed with the aforesaid



observations and directions.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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