

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10639 of 2019

Arising Out of PS. Case No.-1247 Year-2016 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. Sanjeet Rai, Son of Ramjatan Rai, R/o Village- Anandpur , P.S- Tajpur, District- Samastipur
 2. Neeraj Kumar, Son of Naresh Rai, R/o village- Anandpur , P.S- Tajpur, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Partima Kumari, Wife of Sanjeet Rai, D/o Bishundeo Mahto , R/o village- Narepur , P.S- Bachchwara, District- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 01-05-2019 Heard learned counsels for the petitioner, complainant and the State.

The petitioner no.1, being the husband of the complainant and the petitioner no.2, being the sister's son of the petitioner no.1 are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A and 354 of the Indian Penal Code and under Section 4 of the Dowry Prohibition Act.

The prosecution case as per the complaint petition is that marriage between the complainant and the petitioner no.1



was performed on 11.07.2014. Subsequently, further dowry demand of Rs. 10 lacs was made and due to non-fulfillment of the same torture has been inflicted upon the complainant by the petitioner and other in-law family members. It is further alleged that on 20.06.2015, petitioner no.2, Neeraj Kumar made an attempt to ravish the complainant.

On the joint prayer of petitioner no.1 and the complainant, the matter was referred to Mediation and Conciliation Centre of Patna High Court but the report of the Mediator dated 29.04.2019, kept at Flag 'A' reflects that the issue has been settled in terms of payment of one time settlement amount of Rs. 5 lacs. The petitioner no. 1, has deposited a bank draft bearing S.B.I. draft no. '77323' amounting Rs.5 lacs and hands over the same to the learned counsel for the complainant which is to be handed over to the complainant who is present in the Court. Both the parties also agree to file matrimonial suit under Section 13(B) of the Hindu Marriage Act for dissolution of marriage before the Court of competent jurisdiction and also to file an appropriate application in the present complaint case to the effect that the issue has been resolved between the parties.

Learned counsel for the complainant accepts the terms



of agreement arrived at during mediation and she is not opposing the prayer for bail of the petitioners.

Considering the fact that the issue has been resolved between the parties through mediation and the counsel for the complainant is not opposing the prayer of bail of the petitioner, let the above named petitioners be released on anticipatory bail for six months in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned **S.D.J.M., Begusarai** in connection with **Complaint Case No.1247C/2016**, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/Deepak

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