

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1705 of 2019

Arising Out of PS. Case No.-4541 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Kunal Kishore Singh Late Nag Narayan Singh, Information Assistant P.S.-
Sansad Marg-2, New Delhi, A/p Akashvani Bhawan, Sansad Marg New
Delhi, Permanent resident of Village- Yadopur Shukul, P.O. and P.S.-
Yadopur, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar and Anr Bihar
2. Shilpi Kumar Dhrub Kumar Singh R/o Ashok Nagar, P.S.- Kankarbagh,
District- Patna, A/p Lajpat Nagar 4, Gupta Market, P.S.- Mulchand, District-
New Delhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Tej Bahadur Singh, Sr. Adv. Mr. Brishketa Sashan Pandey, Adv.
For the Opposite Party/s	:	Mr. Sri Umesh Lal Verma, APP.
For the informant	:	Mr. Shailendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-01-2019 This application, for grant of anticipatory bail, arises

out of Complaint Case No. 4541(C) of 2017, disclosing offences

under Sections 498A of the Indian Penal Code and Section 3 /4

of the Dowry Prohibition Act.

Petitioner happens to be husband of the informant and

allegation against him is of subjecting the informant to torture

and harassment in connection with demand of dowry.

Submission of learned counsel for the petitioner is

that the complaint petition itself shows that she is living

separately from the petitioner. However, the petitioner is still



ready to keep the informant with full honour and dignity as a wife and for that he has also filed a case for restitution of conjugal rights under Section 9 of the Hindu Marriage Act, which has been transferred to the Hajipur at the instance of the complainant.

Heard learned counsel for the State as well as complainant. It has been submitted by learned counsel for the complainant that there are serious differences between the parties and it would be in the interest of justice that one time settlement between the parties may be done.

Having heard both sides, in view of the above facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Patna, in connection with Complaint Case No. 4541(C) of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

As both the parties want final settlement in the matter, both the parties are directed to appear before the Family Court, Vaishali, Hajipur on 25.02.2019 in the Matrimonial Suit



for restitution of conjugal rights, which has been transferred from Gopalganj to Hajipur, who will take up the matter for reconciliation and on reconciliation, if it is found that they are agreed for divorce by mutual consent, they may move for divorce on mutual consent under Section 13(B) of the Hindu Marriage Act.

Let a copy of this order be also communicated to the Principal Judge, Family Court, Hajipur.

(Vinod Kumar Sinha, J)

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