

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61036 of 2018

Arising Out of PS. Case No.-2074 Year-2017 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Kaleshwar Rai @ Suraj Rai, Son of Kishori Rai, Resident of Village- Sain,
P.S.- Vaishali (Belsar - O.P.), District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Manju Devi, W/o Kamleshwar Rai @ Suraj Rai, daughter of Jagarnath Rai,
Resident of Villalge- Mahammadpur, P.S. and District- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 22-01-2019 Heard learned Counsel for the petitioner and learned
APP for the State.

The petitioner, being the husband of the complainant is apprehending arrest in a complaint case, wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498(A), 34 and 494 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The prosecution case as per the complaint petition is that the marriage of the complainant was performed with the petitioner on 23.05.2010, but after six months of marriage,



further dowry demand of Rupees One Lakh and a motorcycle was made and due to non-fulfillment of the same, torture was inflicted upon the complainant by the petitioner and other in-law family members and ultimately on 10.06.2015, after snatching all her belongings, she was driven out of the matrimonial house.

It is submitted by learned counsel for the petitioner that the petitioner admits her marriage with the complainant and is ready to keep her as wife with full dignity and honour. It further appears that vide order dated 29.11.2018, the matter was sent to the Mediation Centre of Patna High Court. It is jointly submitted that the issue has been reconciled between the parties and they are residing together. On perusal of memorandum of agreement and mediation report dated 18.01.2019, it appears that both sides are living together and they have decided to get the Maintenance Case and Complaint Case disposed of in terms of the compromise.

Learned counsel for the complainant does not dispute the factum of compromise and also does not oppose the prayer of bail of the petitioner.

Considering the present stand of the parties, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below



within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **SDJM, Hajipur, Vaishali** in connection with **Complaint Case No.C1-2074 of 2017**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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