

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56326 of 2018

Arising Out of PS. Case No.-153 Year-2018 Thana- OBRA District- Aurangabad

Nawal Kishore Singh, S/o Late Raghuvir Singh, R/o Village- Sonbarsa, P.S.-
Obra, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 56658 of 2018

Arising Out of PS. Case No.-153 Year-2018 Thana- OBRA District- Aurangabad

Manish Kumar @ Manish Kumar Singh, S/o Nawal Kishore Singh, R/o vill.-
Sonbarsa, P.S.- Obra, District- Aurangabad.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 56326 of 2018)

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Dr. Rabindra Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 56658 of 2018)

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Dr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

10 26-06-2019 Heard learned counsel for the petitioners and
learned counsel for the State.

In these case, the petitioners are seeking
anticipatory bail in connection with Obra P.S. Case No. 153 of
2018, registered for the offence under Sections 498(A), 341,



323, 354, 379 and 504/34 of the Indian Penal Code and under Section 3/4 of the Dowry Prohibition Act.

In course of hearing of these cases, the parties have settled their dispute, accordingly, the petitioners had made payment of Rs.17,00,000/- to the informant by way of full and final settlement for dissolution of marriage and the informant has already accepted the same, at present there is no grievance against the petitioner side.

In such view of the matter, if the criminal case would continue, it will be an abuse of process of law and the purpose will be defeated as none of the parties will gain anything from this proceeding save and accept unnecessary harassment and the result is known to all. Hence, in the interest of justice, Obra P.S. Case No.153 of 2018 registered for the offence under Sections 498(A), 341, 323, 354, 379 and 504/34 of the Indian Penal Code and under Section 3/4 of the Dowry Prohibition Act is quashed against.

It has been informed by learned counsel for the petitioners that till date the Court below has not taken cognizance of the offence. In such view of the matter, the whole chapter of Obra P.S. Case No.153 of 2018 will be treated to have been closed.



Both the parties have agreed that they will jointly file an application under Section 13B of the Hindu Marriage Act, 1955 for dissolution of their marriage within a period of three weeks from today. If such an application is filed, the Family Court will consider the same and would decide the case as early as possible.

With the aforesaid observations and directions, these petitions are disposed of.

(Shivaji Pandey, J)

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