

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 78818 of 2019

Arising Out of Case No.-1001(C) Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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Rajiv Ranjan @ Rajeev Ranjan, aged about 27 years (male), son of Sri Krishna Kumar, resident of mohalla: Kashmir Ganj, Ward No.-11, P.O. and P.S. Masaurhi, District Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Phula Kumari @ Puja Kumari, aged about 20 years (female), daughter of Wakil Maharaj and wife of Rajiv Ranjan, resident of Village-New Manikchak, P.S. Masaurhi, District Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mahendra Prasad Bhartee, Advocate
For the State	:	Mr. Ashok Kumar Singh, APP
For the OP No. 2	:	Mr. Majid Mahboob Khan, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 10-09-2020

The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Mahendra Prasad Bhartee, learned counsel for the petitioner; Mr. Ashok Kumar Singh, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State and Mr. Majid Mahboob Khan, learned counsel for the opposite party no. 2.

3. The petitioner apprehends arrest in connection with Complaint Case No. 1001(C) of 2019 dated 27.08.2019,



instituted under Sections 498A of the Indian Penal Code and 4 of the Dowry Prohibition Act.

4. The petitioner and the opposite party no. 2 are husband and wife. Pursuant to notice issued, the opposite party no. 2 has appeared in the present case.

5. Learned counsel for the petitioner, at the outset, submitted that the opposite party no. 2 is living with him since 25th February, 2020 and they have settled the matter but because of the prevailing circumstances, they have not been able to move appropriate application before the Court below. Learned counsel submitted that he has sent through e-filing mode copy of the agreement between the petitioner and the opposite party no. 2 dated 28.02.2020 in which terms of settlement have been incorporated which also indicates that the opposite party no. 2 and her son have gone to the matrimonial home.

6. Learned counsel for the opposite party no. 2 submits that she is living with the petitioner and does not want to pursue the matter. On a direct query of the Court as to whether the opposite party no. 2 was agreeable to the application being allowed, the answer was in the affirmative.

7. Learned APP submitted that once the husband and wife have sorted out the matter, the Court may grant indulgence.



8. Having regard to the aforesaid and in view of both learned counsel for the petitioner and learned counsel for the opposite party no. 2 taking a common stand that the parties are living together and have settled the matter peacefully, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Patna City in Complaint Case No. 1001(C) of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 with further conditions (i) that one of the bailors shall be a close relative of the petitioner and (ii) any breach of the terms and conditions of the compromise by the petitioner, shall lead to cancellation of his bail bonds.

9. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/-

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