

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9912 of 2020

Arising Out of PS. Case No.-55 Year-2019 Thana- KALUAHI District- Madhubani

Jay Kishor Mahto @ Kishor Kumar Singh S/o Jay Prakash Mahto @ Jay Prakash Singh Resident of Village- Chitahi, P.S.- Kaluahi, Distt- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Arti Kumari @ Arti Devi @ Kumari Arti Devi W/o Jay Kishor Mahto @ Kishor Kumar Singh, D/o Shivanarayan Mahto @ Shivanarayan Singh presently resident of Village- Sugauona, Post- Basaui, P.S.- Rahika, Distt- Madhubani, PIN Code- 847238.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Opposite Party/s : Mr. Kanhaiya Kishore

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 14-12-2021 Heard learned counsel for the petitioner and learned APP for the State. Notice was sent to opposite party no.2, but nobody appears on behalf of opposite party no.2.

The petitioner apprehends his arrest in Kaluahi P.S. Case No.55 of 2019, corresponding to C.R.I. No.626 of 2019, registered for the offences punishable under Sections 341, 323, 379, 307, 498(A), 504 and 34 of the Indian Penal Code and under Sections 3/4 of the Dowry Prohibition Act.

The petitioner is husband of opposite party no.2. The allegation against the petitioner is that he along with other in-laws tortured opposite party no.2 physically and mentally for non-fulfillment of demand of additional dowry.



Learned counsel for the petitioner submits that in the present case both parties are ready for one time settlement. The petitioner has to pay Rs.2,31,000/- to opposite party no.2. The petitioner has already paid Rs.1,16,000/- in cash and Rs.1,15,000/- by cheque. Both the parties with mutual consent have filed divorce case before learned Principal Judge, Family Court, Madhubani being Matrimonial Case No.227 of 2021.

Having considered the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court blow within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Madhubani in connection with Kaluahi P.S. Case No.55 of 2019, corresponding to C.R.I. No.626 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

Sanjay/-

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