

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6165 of 2021**

Arising Out of PS. Case No.-2415 Year-2019 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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SAURABH KUMAR, Son of Kumar Bibhanand, Resident of 3RC-8,
Bahadurpur Housing Colony, P.S.-Agamkuan, District-Patna.

... .. Petitioner

Versus

1. The State of Bihar
2. Rajani Kumari, D/o Ramesh Poddar Resident of Ashok Nagar, Pokharia,
P.S.-Town, District-Begusarai.

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Ram Naresh Ray, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Singh, A.P.P.
For the Informant	:	Mr. Rajeev Ranjan, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 17-12-2021 Learned counsel for the petitioner undertakes to remove

all the defects as pointed out by office within four weeks after start

of normal functioning of the Court.

Heard Mr. Ajay Kumar Thakur, learned counsel for the
petitioner, Mr. Rajeev Ranjan, learned counsel for the
complainant-opposite party no. 2 and Mr. Sanjay Kumar Singh,
learned A.P.P. for the State.

Petitioner in the present case is seeking pre-arrest bail in
connection with Complaint Case No. 2415 of 2019 registered for
the offences punishable under Section 498(A) of the Indian Penal
Code and Section 3/4 of Dowry Prohibition Act. Petitioner has got



no criminal antecedent.

As per the allegations in the complaint petition after the marriage was solemnized between the parties on 22.06.2018, the complainant was kept in her in-laws house for about 15 days with full dignity but thereafter the accused persons started demanding a sum of Rs. 5,00,000/- as dowry. There are allegations against some of the conducts of the petitioner, the allegations are also of causing assault against the petitioner.

Learned counsel for the petitioner submits that in the complaint petition though summon was ordered to be issued only on 11.02.2020 but soon thereafter warrant of arrest has been issued against him during the pandemic period.

It is further submitted that the petitioner was assaulted by the complainant-opposite party no. 2, her mother and brother in Daman for which he has also lodged a complaint case vide Annexure '3' to the present application.

It is submitted that the parties have brought series of litigations against each other and all are arising out of the matrimonial discord between the parties who are educated people.

In course of argument, learned counsel for the petitioner as well as learned counsel for the complainant-opposite party no. 2 both have informed this Court that the complainant-opposite party no. 2 is presently living in her matrimonial house in the same



premises in which her husband and in-laws are residing. The grievance of the complainant-opposite party no. 2 is that her husband is not taking care of her and she has been made to live in isolation at one of the floors of the house.

Be that as it may, in course of hearing of the application, learned counsel for both the parties submit that it would only be in the interest of justice and for the matrimonial relationship of the parties all those cases are duly resolved amicably utilizing the services of the Mediation Centre attached to the Civil Court at Patna.

Mr. Ajay Kumar Thakur, learned counsel for the petitioner and Mr. Rajeev Ranjan, learned counsel for the complainant-opposite party no. 2 have submitted on instruction that both the parties shall file application in the cases pending before different courts to refer those cases to the Mediation Centre attached to the Civil Court at Patna for amicable resolution of disputes between the parties.

This Court expects that both the parties shall abide by the promise made before this Court and they would file such application before all the courts within a period of four weeks from today.

This Court has been informed that the three cases filed on behalf of the petitioner are pending at Patna whereas about 8-9



cases filed on behalf of the complainant-opposite party no. 2 at Begusarai. The parties agree that for purpose of amicable settlement of the disputes it is not necessary that all the cases are to be transferred to one Mediation Centre. If the mediation takes place in the Mediation Centre attached to the Civil Court at Patna both the parties would be in a convenient position to attend the mediation. The ultimate resolution of disputes shall affect the cases pending at Patna as well as Begusarai.

Considering the kind of disputes and the chances of amicable settlement between the parties, this Court directs the petitioner above-named in the event of his arrest or surrender within four weeks from today be released on bail on furnishing of bail bonds of Rs. 25,000/- (Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai in connection with Complaint Case No. 2415 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

