

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17811 of 2020

Arising Out of PS. Case No.-2002 Year-2018 Thana- PURNIA COMPLAINT CASE District-
Purnia

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BIRBAL KUMAR S/o Ram Bilash Yadav R/o village- Haripur Kala, P.S.-
Bhargama, District- Araria

... .. Petitioner

Versus

1. The State of Bihar
2. Binita Kumari @ Binita Devi D/o Kailash Yadav R/o village- Jeewachpur,
P.S.- Banmankhi, District- Purnea

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan
For the Opposite Party/s : Mr.Tarun Prasad Mandal

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 21-06-2022 Heard learned counsel for the petitioner as well as

learned counsel for the complainant.

The petitioner apprehends his arrest in connection
with Complaint Case No. 2002 of 2018, registered for the
offences punishable under Section 498 A of the Indian Penal
Code.

It is a case of matrimonial dispute. The petitioner is
the husband of the complainant. As per allegation, the petitioner
and other accused persons demanded rupees one lac cash as
dowry and due to non-fulfillment she was tortured. The accused
persons also threatened her that they would arrange the second
marriage of the petitioner.



It has also been mentioned in the complaint petition that petitioner has solemnized his second marriage with a girl named Mahi Soni.

The matter was referred to Patna High Court Mediation and Conciliation Centre. The report of Mediation Centre has been received, which shows that both the parties have compromised the case. In paragraph No. 2 of the report it has been mentioned that the petitioner expressed his willingness to keep the victim with full dignity and honor and he assured that he would not inflict torture upon her in future. In paragraph No. 3 it has been mentioned that due to misunderstanding the petitioner has solemnized the second marriage with a girl named Mahi Soni but the complainant will have no objection if he keeps Mahi Soni and the complainant in cordial atmosphere.

Considering the fact that both the parties have settled their dispute, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Purnea in connection with Complaint Case No. 2002 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C, with



further condition that if it is brought into the notice of learned court below that the petitioner again inflicted cruelty upon the complainant the learned court below shall be at liberty to cancel the bail bond.

(Nawneet Kumar Pandey, J)

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