

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34015 of 2022

Arising Out of PS. Case No.-57 Year-2021 Thana- MAHILA P.S. District- Purnia

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DEVASHISH GAUTAM SON OF BASHUDEO MEHTA RESIDENT OF
VILLAGE- SANT KABIR NAGAR, P.S.- K. HAT, DISTRICT- PURNEA.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. LOVELY KUMARI DAUGHTER OF MANOJ MEHTA RESIDENT OF
VILLAGE- GOKULPUR, P.S.- K. NAGAR, DISTRICT- PURNEA

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Rana Randhir Singh

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

ORAL ORDER

4 16-11-2022 Learned counsel for the petitioner is directed to remove all
the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehends his arrest in connection with
Mahila P.S. Case No. 57 of 2021, registered for the offences
punishable under Sections 341, 323, 498A, 504, 506/34 of the Indian
Penal Code and 3/4 of D.P. Act.

Learned counsel for the petitioner has submitted that the
petitioner is husband of Lovely Kumari. She made allegation against
the petitioner and his family members of inflicting atrocities due to
non-fulfillment of demand of dowry.

Learned counsel further submits that the entire dispute



between the parties have been resolved. The husband and wife filed a case for divorce under Section 13 B of the Hindu Marriage Act for a decree of divorce on the basis of mutual consent. He has also submitted that the Maintenance Case No. 205 of 2021 filed by the informant has been withdrawn. Learned counsel has also submitted that first motion in respect of divorce petition has been completed.

Learned counsel for the petitioner has also submitted that the case under Section 13 B of the Hindu Marriage Act was filed on 2nd March, 2022 and none of the parties as yet has withdrawn his/her consent.

Considering the fact that both the parties have resolved their disputes, 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 Chief Judicial Magistrate, Purnea in connection with Mahila P.S. Case No. 57 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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