

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32156 of 2020

Arising Out of PS. Case No.-2189 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Diwakar Prasad S/O Dilip Prasad Resident of Glass India, H.No. 10, B.R. Phukan Road, Kumarpara, District - Kamrup (Metro) Guwahati.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Smt. Sinki Soni W/O Shri Diwakar Prasad D/O Shri Raj Kumar Prasad at Present C/O Ramji Prasad Jewellers, Main Road, Motihari - 845401,(Bihar).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nirbhay Kumar Singh

For the Opposite Party/s : Mr. A.G

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

14 27-06-2022 Heard learned counsel for the petitioner,

complainant and learned APP for the State.

The petitioner is apprehending his arrest in a complaint case wherein cognizance has been taken under Section 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demand.

A supplementary affidavit has been filed on behalf of the petitioner to the effect that both the



petitioner and the complainant have filed Matrimonial Case No. 150 of 2022 before learned Principal Judge, Family Court, Patna under Section 13(B) (1) of the Hindu Marriage Act for dissolution of marriage and the same has already been admitted on 22.04.2022. Matrimonial Case No. 150 of 2022 has been annexed as Annexure-7 of the supplementary affidavit.

The learned counsel appearing on behalf of the complainant has not controverted the assertion made by the learned counsel for the petitioner before this Court.

In view of the fact that both sides have amicably decided to settle their disputes by dissolution of marriage and have filed a joint petition before learned Court below, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial



Magistrate, East Champaran, Motihari in connection with
Complaint Case No. 2189 2018, Trial No. 2363 of 2019,
subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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