

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57037 of 2019**

Arising Out of PS. Case No.-623 Year-2019 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Ajay Kumar, Son of Satya Narayan Sah Resident of Village- Cheriabaryarpur
(Panchmukhi Chowk), P.S.- Cheriabaryarpur, District- Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Mamta Kumari, wife of Ajay Kumar and daughter of Satya Narayan Sah At
present resident of Jinadpur, P.S.- Muffasil, District- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 20-04-2022 Heard learned counsel for the petitioner,

informant 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.

It is a case of cruelty due to non-fulfillment of

the dowry demand.

It is submitted by learned counsel for the

petitioner that the petitioner tried his best to resume the

conjugal life with the complainant and in this regard, a



petition under Section 9 of the Hindu Marriage Act has been filed by the petitioner for the restitution of conjugal life but the complainant herself does not want to live with the petitioner. The petitioner is still ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 12 of the petition.

Learned counsel appearing on behalf of the complainant has submitted that an effort has been made by the petitioner's side to kill the complainant by sprinkling kerosene oil on her body and lit her on fire, but the complainant somehow managed to save her life and since then she is living at her parental house. Hence, out of fear of life, she does not want to live with the petitioner.

Since the petitioner is ready to keep his wife but the complainant herself is adamant not to live in her matrimonial house and she has not brought on record any proof with regard to threat of her life in her



matrimonial house, 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 thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 2nd Class, Begusarai in connection with Complaint Case No. 623(C) of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Since both sides agree for an amicable settlement, learned Court below is expected to make an effort for an amicable settlement between the parties.

(Sunil Kumar Panwar, J)

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