

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59221 of 2019

Arising Out of PS. Case No.-1134 Year-2017 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Binod Pandit @ Binod Kumar Pandit Son of Krishna Mohan Pandit Resident
of Mohalla- Lagwasini Nagar Rutar Chock, P.S.- Godda, District- Godda
(Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushbu Devi Wife of Binod Pandit, Daughter of Sri Kishore Pandit
Resident of Village- Raipura, P.S. Goradih, District- Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha
For the Opposite Party/s : Mr. Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

9 21-02-2022 Heard learned counsel for the petitioner, complainant
and learned APP for the State.

The petitioner is apprehending his arrest in a case
complaint case in which cognizance has been taken for the
offences punishable under Sections 323, 498(A)/34 of the Indian
Penal Code and Section 4 of the Dowry Prohibition Act.

The accusation against the petitioner is of torture for
non-fulfillment of dowry demand and ousting the complainant
from her matrimonial house.

The petitioner is husband of the complainant.

It is submitted by learned counsel for the petitioner
that petitioner and the complainant have decided to part ways.



Both sides agreed that a sum of Rs. 3,50,000/- will be paid by the petitioner to the complainant as one time settlement and in this respect, a sum of Rs. 1,00,000/- will be paid at the time of admission of the original suit with respect to dissolution of marriage and Rs. 1,50,000/- will be paid on final disposal of the original suit whereas rest of Rs. 1,00,000/- will be paid after withdrawal of the present complaint petition.

It is further submitted that accordingly, a petition under Section 13(B) of the Hindu Marriage Act has been filed jointly by both sides for dissolution of marriage and according to the compromise petition, the petitioner has already paid Rs. 1,00,000/- to the complainant through cheque which has been brought on record as Annexure-2 series of the supplementary affidavit filed on behalf of the petitioner.

The learned counsel appearing on behalf of the complainant does not controvert the aforesaid submissions of the learned counsel for the petitioner.

Considering the fact that both sides have amicably decided to settle the dispute and steps have been taken to finally resolve the dispute between the parties, 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 Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Complaint Case No. 1134 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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