

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11321 of 2020**

Arising Out of PS. Case No.-579 Year-2019 Thana- COMPLAINT CASE District- Banka

SANJAY KR. SAH @ SANJAY KUMAR Son of Manikant Sah Resident of
Village - Shyam Bazar, P.O.- Shyam Bazar, P.S.- Bounsi, District - Banka.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Soni Kumari Wife of Sanjay Kumar @ Sanjay Kr. Sah D/o Sri. Lalmohan Mandal, Resident of Village Bhandarichak, P.O. Dahua, P.S. Baousi, District Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ajay Mukherjee, Advocate
For the State	:	Mr. Anand Kishore Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

6 20-06-2023 Heard both sides.

The petitioner apprehends his arrest in connection with Complaint Case No.579 of 2019, registered for the offences punishable under Sections 341, 323, 498A, 379, 504/34 of the Indian Penal Code as well as under Sections 3/4 of the Dowry Prohibition Act.

The petitioner and other co-accused persons tortured the complainant physically and mentally for non-fulfillment of demand of additional dowry.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail petition.

Learned counsel for the petitioner has filed a



supplementary affidavit stating therein that the parties have filed divorce case in the learned court below being Matrimonial (Divorce) Case No.169/2021 under Section 13(B) of the Hindu Marriage Act for dissolution of marriage with mutual consent. The petitioner is ready to pay Rs.3,01,000/- to the complainant as one time settlement. It is also stated in the supplementary affidavit that draft has been deposited by the petitioner in favour of opposite party no.2, which has been received by opposite party no.2 and after hearing the parties, the divorce case was allowed on 03.06.2022.

Considering the fact that the matter has been settled between the parties, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate/Successor Court, Banka in connection with Complaint Case No.579 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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