

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23319 of 2023**

Arising Out of PS. Case No.-762 Year-2019 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Ajay Kumar @ Kamalesh Kumar @ Kamlesh Kumar @ Ajay R/O Village
And P.O.- Ramgarh, P.S.- Ramgarh, District - Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Urbashi @ Urbarshi @ Gudiya Wife of Ajay Kumar @ Kamalesh Kumar @
Kamlesh Kumar D/O Late Munni Lal Kannaujiya, R/O Village and P.O.-
Ramgarh, P.S.- Ramgarh, District - Kaimur, Present Address R/O Nuranganj
(Near Masjid), P.S.- Sasaram (Town), District - Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Ajay Kumar No. 2

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

4 18-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 323 and 498A
of the Indian Penal Code and Section 4 of the D.P. Act pending in the
learned court below.

3. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case. He
filed supplementary affidavit in para-2 of this affidavit it is stated that
both the parties are agreed to settle the dispute between the parties
and to take divorce with mutual consent and also to compromise the
present complaint case bearing Complaint Case No. 762/2019.
Further, the petitioner has agreed to pay sum of Rs.4,00,000/- as per



the terms of compromise and out of which he has given a demand draft of Rs.2,00,000/- to the O.P. No.2, to which she has received and out of remaining Rs.2,00,000/- it has been agreed that Rs.1,00,000/- would be paid through D.D. at the time of filing divorce suit with mutual consent and remaining Rs.1,00,000/- will be paid after disposal of the present complaint case and after decree of divorce with mutual consent. Petitioner have got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes for prayer for bail.

6. Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Complaint Case No.762/2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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