

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37036 of 2023

Arising Out of PS. Case No.-2054 Year-2020 Thana- SARAN COMPLAINT CASE District-
Saran

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Vijay Kumar Pathak Son Of Ram Suchit Pathak Resident Of Village-Teghra,
P.O.- Narwan, P.S.- Manjhi, District- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Asha Devi Wife Of Vijay Kumar Pathak Resident Of Village- And P.O.
Nachap, P.S.- Manjhi, Distt- Saran At Chapra

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Gyanendra Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar, APP
For the O.P. No. 2	:	Mr. Sanjay Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 17-10-2023 Heard Mr. Gyanendra Kumar Singh, learned counsel

appearing on behalf of the petitioner, Mr. Sanjay Kumar Singh,

learned counsel for the O.P. No. 2 and the learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 2054 of 2020, registered for the
offences punishable under Section 498(A) of the Indian Penal
Code.

3. Allegedly, marriage of the petitioner was
solemnized with the O.P. No. 2 on 18.05.2013, however, soon
after the marriage, she was subjected to demand of dowry and
torture, at the hands of the petitioner and his family members



and, later on she was ousted from her matrimonial house, after keeping her jewelries and clothes.

4. Learned counsel appearing on behalf of the petitioner submits that the present complaint case has been instituted on account of certain differences, which has arisen between both the husband and wife and now the matter has been amicably settled outside the Court and both the parties have agreed to live separately from their family members with the consent of the family members of both the parties.

5. The aforesaid fact has also been admitted by the learned counsel for the O.P. No. 2 and he also submits that since the matter has been compromised between the parties, he would not oppose the prayer of the petitioner for grant of anticipatory bail.

6. On the other hand, learned counsel for the State opposed the pre-arrest bail application.

7. Regard being had to the submissions made on behalf of the parties and considering the submissions made on behalf of the parties with regard to the settlement arrived at between the husband and wife, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of



receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Complaint Case No. 2054 of 2020, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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