

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40024 of 2023

Arising Out of PS. Case No.-992 Year-2022 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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JUGESH SINGH S/O LATE FULENA SINGH R/O VILLAGE- BANKATI,
DAKSHIN TOLA, PS. BAIKUNTHPUR, DIST. GOPALGANJ

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. MADHU DEVI W/O JUGESH SINGH , D/O NAGENDRA SINGH R/O
VILLAGE- BANKATI, DAKSHIN TOLA, PS. BAIKUNTHPUR, DIST.
GOPALGANJ, AT PRESENT RESIDENT OF VILLAGE- BUCHYA KALI
TOLA, POST AND PS. SIDHWALIYA, DIST. GOPALGANJ

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Setu Prateek, Adv.
For the Opposite Party/s	:	Mr. Nitya Nand Tiwary, APP
For the informant	:	Mr. Vikash Kumar Shukla, Adv.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 28-07-2023 Heard Mr. Setu Prateek, learned counsel appearing on

behalf of the petitioner and Mr. Nitya Nand Tiwary, learned

A.P.P. for the State.

2. The petitioner apprehend his arrest in connection
with Gopalganj Complaint Case No. 992 of 2022, dated
25.05.2022, registered under Sections 341, 323, 498A, 406, 504
of the Indian Penal Code and 3/4 of the D.P. Act.

3. As per complaint case the complainant, who is wife
of the petitioner has alleged that petitioner has demanded Rs.



2,00,000/- as dowry and kicked her out from his home and also threatened to kill her.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has made specific statement in paragraph-7 of the bail application that he is going to keep the complainant, who is legally wedded wife of the petitioner with full dignity and honour and no such illegal act has ever been committed by him with the complainant. The petitioner is also blessed with one daughter and he is ready to live along with his daughter and complainant and he will provide both financial as well as physical needs of the complainant as well as he will take care of his little daughter and provide her good schooling in future.

5. Mr. Vikash Kumar Shukla, learned counsel appearing on behalf of the informant submits that the matter can be resolved by amicable settlement as considering the statement made in paragraph-7 of the bail application, the petitioner has admitted that he will keep the complainant with full dignity and honour and he will provide all the physical and financial needs of the complainant. The complainant is ready to go for mediation for amicable settlement.

6. Learned A.P.P. for the State has vehemently



opposed the prayer for grant of pre-arrest bail to the petitioner.

7. Considering the nature of allegation made in the complaint as well as the fact that both the parties are agreed to settle the dispute amicably. In case petitioner submits his attendance and files written affidavit with undertaking before the learned Court Below within a period of one week that he will participate in the mediation as and when called upon along with his wife, who is complainant of the case, the learned Court Below is directed to release the above named petitioner on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Gopalganj in connection with Complaint Case No. 992 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.,

8. In case petitioner fails to appear before the Court Below and files an affidavit within a period of one week, this order granting bail to the petitioner shall automatically loose its force.

9. From two weeks from the date of communication of the order to the learned Court Below, the interim protection is



granted to the petitioner. The Court Below shall not take any coercive steps for a period of 15 days.

(Purnendu Singh, J)

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