

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50389 of 2022

Arising Out of PS. Case No.-38 Year-2021 Thana- MAHILA PS District- Gopalganj

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RANJEET KUMAR TIWARY @ PRINCE TIWARI @ RANJEET KUMAR
TIWARI SON OF RADHE KRISHNA TIWARY R/O BANJARI, N.H. 28,
GOPALGANJ, P.S.- NAGAR GOPALGANJ, DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

1. The State of Bihar
2. NUTAN DEVI D/O LATE KRISHNANAND CHAUBEY R/O VILLAGE-
KHUTWANIYA CHAUBEY, P.O.- UCHAKAGAON, P.S.-
KUCHAIKOTE, DISTRICT- GOPALGANJ

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Bharat Lal, APP
For the O.P. no. 2 :	Mr. Sushil Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

8 12-09-2023

1. Heard learned counsel for the parties.

2. The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Gopalganj (Mahila) P.S. Case no. 38 of 2021 registered under sections 498A, 341, 323, 406, 504, 506 and 34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

3. As per the prosecution case, the informant states that she was married to the petitioner in the year 2020. The gifts etc, details of which has been given in the FIR were given at the time of marriage. The accused persons kept her ornaments



and started to torture her for demand of Rs. 50 lacs by way of dowry to purchase a piece of land. On her denial, she was ousted from the matrimonial home and this petitioner who happens to be her husband threatened that he would enter into a second marriage. Hence the present FIR.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that he happens to be the husband of the informant. There has been no complaint in the past and the petitioner has no criminal antecedent.

5. Pursuant to the order of this Court the matter was referred for mediation between the parties and as would be evident from the report of the Mediation Centre, the parties arrived at an agreement/compromise.

6. Heard learned counsel for the State and learned counsel for the Opposite Party no. 2. It is submitted by learned counsel for the Opposite Party no. 2 that as per oral instructions received there are still differences between the parties and the petitioner is not abiding by the terms of the compromise arrived at in the mediation. No affidavit has been filed on behalf of the opposite party no. 2

7. Having heard learned counsel for the parties and



taking into consideration the allegations in the FIR and the contents of the mediation report which has been signed by both the parties, in the event of his arrest or surrender within four weeks, the petitioner is directed to be enlarged on bail in connection Gopalganj (Mahila) P.S. Case no. 38 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Gopalganj.

8. It may be noted here that so far as the contention made by learned counsel for the Opposite Party no. 2 is concerned, nothing has been filed on affidavit. If the agreement arrived at between the parties in the mediation centre is not being carried forward or complied by the petitioner, it will always be open for the Opposite Party no. 2 to move an appropriate application in the learned Court below.

(Partha Sarthy, J)

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