

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17926 of 2024

Arising Out of PS. Case No.-864 Year-2022 Thana- GANDHIMAIDAN District- Patna

Anuj Pal Goswami @ Anuj Pal Giri Goswami Son of Gajraj Giri Goswami @ Gajraj Goswami Resident of Flat no. 102, GH 4, Mirabagh, Police Station - Paschim Vihar, District - Delhi , New Delhi, Permanent Resident of Village - Nagda Bavdi Ke Pas, Post Office - Nawania, Police Station - Vallabhnnagar, District - Udaipur (Rajasthan), PIN No. 313801

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aradhana Giri Daughter of Surendra Kumar Giri, Wife of Anuj Pal Giri Goswami Resident of Mohalla - Jawahar Colony, Road No. 3, Postal Park, Patna, Police Station - Kankarbagh, District - Patna, Bihar, PIN Code 800001

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj
For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 08-04-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State along with learned counsel appearing on
behalf of the O.P. No.2.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 354, 498(A), 504, 506 and 34 of the Indian Penal Code.

3. The petitioner and the O.P. No.2 in compliance of the order dated 04.04.2024 are present in the Court along with their respective learned counsels.

4. The learned counsels for the parties jointly submits



that on intervention of well wishers, the dispute in between the petitioner and the O.P. No.2 has been resolved amicably and a decision has been taken that petitioner and the O.P. No.2 shall file an application seeking divorce by mutual consent and the O.P. No.2 will not seek any alimony. It is further submitted by the parties that out of the wedlock, a child was born, who presently is staying with the O.P. No.2 and the petitioner has filed Case No.62/2023 in the Court of learned Principal Judge, Family Court, Patna under Guardianship and Wards Act. It is thus submitted that the issue of guardianship shall be decided in the said case.

5. The petitioner, who is present in the Court at this stage submits that he has filed a divorce case earlier before the learned Principal Judge, Family Court, Teeshazari in the year 2024. The petitioner submits that he will withdraw the said divorce case petition pending adjudication in the court of learned Principal Judge, Family Court, Teeshazari and thereafter will file an application seeking divorce by mutual consent before the learned Principal Judge, Family Court, Patna on which, the O.P. No.2 also agrees.

6. The O.P. No.2 submits that the moment, the divorce case would be filed based on mutual consent in the court of



learned Principal Judge, Family Court, Patna, thereafter she will withdraw the instant F.I.R. after the second motion in the Family Court.

7. Considering the submissions made by the learned counsel for the parties, the 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 released on anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees Five hundred) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Gandhi Maidan P.S. Case No.864/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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