

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17639 of 2023

Arising Out of PS. Case No.-260 Year-2018 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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SANJAY KUMAR Son of Basudev Prasad R/o Mohalla - New Area (New
Ptalpuri Temple) PS - Nawada, Dist. - Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sushila Devi D/o Late Kedar Prasad R/o Mohalla - Patel Nagar, Yadubanshi
Nagar, PS- Nawada Dist- Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 29-04-2024 1. Heard learned counsel for the petitioner and Mr.
Rabindra Kumar learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323, 324
and 498(A) of the Indian Penal Code as well as Sections 3 and 4
of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that by
order dated 04.04.2024 the petitioner and the opposite party no.
2 were directed to remain physically present in Court along with
their respective learned counsel. It is further submitted that the
matter was earlier referred for mediation but then mediation
failed but on the joint submission of the learned counsel for the
parties, when the case was taken up on 04.04.2024, the



petitioner and the opposite party no. 2 were directed to remain physically present as it was submitted that one more chance be given for resolving the dispute.

4. Today when the case is taken up, learned counsel appearing on behalf of the petitioner is present and submits that the petitioner has come but is in the Court premises as his pass could not be made in time but submits that the presence of the petitioner be noted. It is further submitted that petitioner works as a Farmer Advisor and is posted with the Agriculture Department, Government of Bihar while the opposite party no. 2 is working with the Ministry of Defence, New Delhi. It is next submitted that petitioner and the opposite party no. 2 have resolved their dispute.

5. No one appears on behalf of the opposite party no. 2 nor she is present in compliance of the order dated 04.04.2024.

6. Considering the submissions made by the learned counsel for the petitioner, 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.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the



satisfaction of the learned court below where the case is pending/successor court in connection with Complaint Case No. 260 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the opposite party no. 2 shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner if there is no compromise in between the parties and the petitioner has obtained anticipatory bail by misleading the Court.

8. The personal appearance of the petitioner is dispensed with.

(Satyavrat Verma, J)

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