

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20074 of 2024

Arising Out of PS. Case No.-815 Year-2022 Thana- KATIHAR COMPLAINT CASE
District- Katihar

=====

Shiv Kumar @ Shiv Kumar Sah @ Shiv Nandan Kumar, Son of Sri Yogendra Mandal @ Jogendra Mandal, Resident of village-Marghiya (Mardhiya) Kadar Tola, P.S.-Barari, Distt.-Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babita Kumari, D/O Sri Mohan Mandal, W/O Shiv Nandan Kumar Resident of vill.-Kursela, P.S.-Kursela, Distt.-Katihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Pawan Kumar, Advocate
For the State	:	Mr.Uma Shankar Prasad Singh, APP
For the O.P. No. 2	:	Mr. Rajendra Prasad Sah, Advocate
		Mr. Ratnakar Ambastha, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

6 16-12-2024 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the opposite party no. 2.

02. In the present case, the petitioner is apprehending his arrest in connection with Complaint Case No. 815 of 2022 registered for the alleged offences under Sections 498(A), 323 of the Indian Penal Code and Section 3/4 of DP Act.

03. As per prosecution case, the petitioner is the husband of the complainant and the allegation is that of demanding dowry and consequent torture on account of non-fulfillment of demand of dowry.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner never tortured or treated the complainant with cruelty. However, the matter has been compromised between the parties before the learned Principal Judge, Family Court, Katihar and both the sides are not willing to pursue the matter even in the present complaint case.

05. Learned counsel for the opposite party no. 2 admits the factum of compromise.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the settlement between the parties, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Katihar, in connection with Complaint Case No. 815 of 2022, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each
and every date fixed by the court below, if so
required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

U		T	
---	--	---	--

