

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23826 of 2023

Arising Out of PS. Case No.-428 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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LAVKUSH KUMAR S/o Ram Bhajan Parit @ Ram Bhajan Pandit Resident
of vill-Shekhauna, P.S.-Ghorasahan, Dist.-East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. RAGNI DEVI @ RAGNI KUMARI W/o Lavkush Kumar, D/o
Harishchandra Parit Residing at Vill.-Mathwa, P.S.-Pakridayal, Dist.-East
Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Sangeet Deokuliari, Advocate
For the Opposite Party/s : Mr.Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 6 10-01-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Complaint case no. 428(C) of 2022, disclosing
offences punishable under Sections 498(A), 323/34 of the Indian
Penal Code.
3. The case of the complainant is that the marriage of
the complainant was solemnized with the petitioner on
19.04.2014 and after marriage, due to non-fulfilment of the
demand for dowry, the petitioner and others started committing
cruelty and torturing the complainant, physically as well as
mentally.



4. In order to explore the possibility of revival of conjugal relationship between husband and wife, this Court, vide its order dated 13.12.2023, directed the petitioner as well as opposite party no. 2 i.e. wife to be present, physically in the Chamber, today. Learned counsel for the petitioner along with the petitioner, in person, are present before this Court in Chamber, however, learned counsel for the complainant submits that due to unavoidable circumstances, the complainant has not turned up today. Learned counsel for the petitioner further submits that some effort for amicable settlement between the parties was taken by learned court below while hearing the bail application of the petitioner but there also, the wife- opposite party no. 2 did not turn up.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that petitioner is present in person for amicable settlement whereas wife has failed to appear before this Court and had also did not appear before the learned District Court for settlement, I am inclined to grant privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his



arrest/surrender before the learned Court below within a period of six weeks from today be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran in connection with Complaint Case No. C-428 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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