

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52580 of 2023

Arising Out of PS. Case No.-90 Year-2021 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Ritesh Kumar Son Of Shri Birendra Singh R/O-Dulpha, P.O.-KOCHRIHA,
P.S.-DHANSOI, Distt.-BUXAR

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari Wife Of Ritesh Kumar D/O-Sri Ramesh Kumar, R/O Village
And P.O.-MIRJAPUR, P.S.-DAWATH, Distt.-ROHTAS

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Om Prakash Upadhyay
For the Opposite Party/s : Mr.Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 28-02-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498A and
354 of the Indian Penal Code and Sections 3 and 4 of Dowry
Prohibition Act.

3. The learned counsel for the petitioner submits that
notice on behalf of OP No. 2 was received by the mother of the
OP No. 2 for which an application of jointness has been filed, as
such the notice is deemed to have been validly served.

4. It is next submitted that the petitioner and the OP
No. 2 have compromised as would manifest from Annexure-2 to
the supplementary affidavit, wherein it has been recorded that
OP No. 2 is not interested in pursuing the case and as on



intervention of well wishers, the parties have compromised. It is next submitted that this perhaps explains why OP No. 2, despite receiving notice, chooses not to contest.

5. Considering the submission made by the learned counsel for the petitioner and placing reliance on Annexure-2 to the the supplementary affidavit, 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. 10,000/- (Rupees Ten 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. 90 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that the OP No. 2 shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner, in the event if no compromise had taken place in between the petitioner and the OP No. 2.

(Satyavrat Verma, J)

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