

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63008 of 2024

Arising Out of PS. Case No.-49 Year-2023 Thana- MAHILA P.S. District- Rohtas

Sanjeev Kumar @ Sanjeev Gupta @ Sanjeev Kumar Gupta S/O Brihaspati Prasad R/O Village- Banjari, P.S- Rohtas, Distt.- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Riya Kumari @ Anshu Kumari D/O Ajay Kumar Gupta R/O Mohalla- Tar Bangla, Gali no. 8, Ward no. 38, Dehri-on-Sone, P.S- Dehri Town, Distt.- Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajani Kant Singh, Advocate
For the Opposite Party/s	:	Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 18-12-2024 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 323, 498A and 506/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that there is general and omnibus allegation of demand of Rs.5,00,000/- and torture against all the accused persons and there is no specific allegation against this petitioner as stated in para-9 of the petition. He next submits that from perusal of the



Mediator's Report dated 20.11.2022, it appears that after great persuasion both the parties agreed to take divorce on mutual consent and both parties agreed that the Opposite Party No.2 (wife) shall not claim any type of maintenance or alimony from the husband, i.e., petitioner. It is also stated in the report that minor son, namely, Ayush will live with her mother, i.e., Opposite Party No.2 and petitioner shall not claim for his guardianship in any manner and both parties will file compromise petition in this case, i.e., Rohtas Mahila P.S. Case No. 49 of 2023 pending in the concerned Court and they will cooperate disposal of the above case on the basis of compromise and petitioner is also agreed to withdraw the case and he does not want to proceed with all Civil/Criminal cases.

Learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

In view of the aforesaid facts and submissions as made by the petitioner, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate,



Dehri, District- Rohtas in connection with Mahila P.S. Dehri
Case No.49 of 2023, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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