

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67247 of 2023

Arising Out of PS. Case No.-395 Year-2010 Thana- PATNA COMPLAINT CASE District-
Patna

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Rakesh Kumar @ Rakesh Saw Son of Ram Padarth Saw @ Padarth Saw
Resident Of Village- Mogalpura, P.S Bakhtiyarpur, District Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arpana Kumari @ Rinki Wife Of Rakesh Saw, Daughter Of Dhuri Saw
Resident Of Village Masumganj, P.S Barh, District Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Javed Aslam
For the Opposite Party/s :	Mr.Akshay Lal Pandit
	Mr.Satish Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 10-07-2024 Heard learned counsel for the petitioner, State as
well as opposite party no. 2.

2. The petitioner apprehends his arrest in a case registered for the offence under Section 498A of the Indian Penal Code and Section 3 / 4 of the Dowry Prohibition Act.

3. As per prosecution case, the opposite party no. 2 was married with this petitioner in the year 2004 and blessed with one daughter, however; some time after the marriage, she was tortured and harassed for dowry and due to non-fulfillment of the same, she was lastly compelled to leave her matrimonial



house with her daughter.

4. Learned counsel for the petitioner submits that the dispute between the parties has been resolved and matter has now been compromised. The opposite party no. 2 has already solemnized marriage with some other person and present, she is living with him and does not want to proceed with this case.

5. Learned counsel for the opposite party no. 2 does not dispute the contention made on behalf of petitioner, however; he submits that now, marriage of daughter of opposite party no. 2 and this petitioner is to be solemnized.

6. On the point of marriage of daughter of petitioner, learned counsel for the petitioner undertakes that petitioner will pay Rs. 50,000/- (fifty thousand) to opposite party no. 2.

7. In that view of the matter, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Barh (Patna) in connection with Complaint Case No. 395(C) of 2010, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that *at the time of furnishing bail-bond, the petitioner shall give Rs.*



*50,000/- (fifty thousand) through demand draft to opposite
party no. 2.*

(Prabhat Kumar Singh, J)

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