

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74855 of 2023

Arising Out of PS. Case No.-795 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

=====

Ravi Prakash S/O- Prakash Nandan Mahto, Village- Bajrangpuri Argara
Chowk Ps- K.Hat Dist- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shwetam wife of Ravi Prakash, D/o- Sarjendra Kumar R/o- Shiddhampuri
Manjhali Chowk Madhubani Ps- K.Hat (Top Madhubani)Dist- Purnea

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan
For the Opposite Party/s : Mr. Md. Shakir Ahmad

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 5 11-07-2024 1. Heard learned Senior counsel for the petitioner Mr.

N.K. Agrawal and learned A.P.P. for the State along with learned

counsel appearing on behalf of the O.P. No.2.
2. The petitioner apprehends his arrest in a case

registered for the offence punishable under Sections 498(A)/34

of the Indian Penal Code and Sections 3/4 D.P. Act.
3. Learned counsel for the parties jointly submitted

that the case was referred for mediation but then the mediation

failed.
4. The learned Senior counsel appearing on behalf of

the petitioner submits that petitioner is still willing to keep the

O.P. No.2 with honour and dignity. It is also submitted that from



perusal of the allegation, as alleged in the complaint, it would manifest that the allegations are not such, which would even remotely suggest that the O.P. No.2 was being tortured and abused badly. It is further submitted that normal wear and tear of life has been exaggerated in the instant complaint case by way of allegation. It is also submitted that petitioner is a bank manager working with Union Bank of India and has also filed an application seeking restitution of conjugal rights under section 9 of the Hindu Marriage Act. It is submitted at the cost of repetition that if the O.P. No.2 intends to reconstitute her conjugal rights, the petitioner will withdraw the said application seeking restitution of conjugal rights and will take the O.P. No.2 along with himself to his place of posting but then at times O.P. No.2 shall also have to come back to his parental home to look after his old and ailing parents.

4. The learned counsel appearing on behalf of the O.P. No.2 very firmly submitted that he has instruction of O.P. No.2 to make submission that O.P. No.2 does not intend to reconstitute her conjugal rights with the petitioner.

5. Considering the submissions made by the learned Senior counsel for the petitioner, 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 trial court where the case is pending/successor court in connection with C.A. Case No.795/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

amit/-

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

