

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50279 of 2024

Arising Out of PS. Case No.-997 Year-2023 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Harendra Padit @ Harindra Kumar Prajapati @ Harendra Kumar S/o Sri Jiut
Pandit R/o vill - Jura Sasarao , P.S. - Bhairoganj, Distt. - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sandhya Kumari W/o Harendra Padit @ Harindra Kumar Prajapati @
Harendra Kumar R/o vill - Banwariya, P.s - Shikarpur, Distt. - West
Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Adv.
For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

5 20-03-2025 In pursuance to the earlier order dated 13.02.2025

both parties appeared with his respective learned lawyer in
Chambers proceeding.

2. Heard the parties.

3. The petitioner is apprehending his arrest in
connection with Complaint Case No. 997 of 2023 for the
offence under Sections 341, 323, 498A of the I.P.C. and 3/4 of
Dowry Prohibition Act.

4. It is a case of matrimonial dispute between the
parties. Petitioner is the husband of opposite party no. 2 –
(complainant). Allegation against the petitioner and his family
members is of torturing, assaulting and ousting the complainant



from her matrimonial house due to non-fulfillment of dowry demand.

5. Learned counsel for the petitioner submits that petitioner is quite innocent, committed no offence and has been falsely implicated in this case. No any occurrence has ever been taken place as alleged by the complainant. He further submits that the allegation against petitioner is general, omnibus, vague and sweeping in nature.

6. During course of argument learned counsel for both the parties submits that the matter is amicably settled between the petitioner and opposite party no. 2 (complainant). Petitioner is ready to pay Rs. 3,00,000/- (three lakhs) in favour of opposite party no. 2 (his wife) as one time settlement. The above amount will be paid within 10 months. He will pay Rs. 50,000/- (fifty thousand) in favour of opposite party no. 2 at the time of filing bail bond and the rest amount will be paid within ten months, regarding this fact petitioner will also file an undertaking before the trial court. Opposite party no. 2 (complainant) will also file mutual divorce petition before the competent court and at the time of evidence of opposite party no. 2, the petitioner will pay the entire rest amount. Opposite party no. 2 is ready to withdraw the present case after taking



entire amount.

7. Keeping in view the aforesaid facts, let the petitioner be enlarged on anticipatory bail **provisionally** in the event of arrest or surrender within a period of four weeks from the receipt/production of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned S.D.J.M., Bettiah, West Champaran in connection with Complaint Case No. 997 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. Trial court will confirm his bail after verification of the payment of entire amount i.e. Rs. 3,00,000/- (three lakhs).

(S. B. Pd. Singh, J)

prabhakar/-

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