

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54202 of 2024

Arising Out of PS. Case No.-667 Year-2022 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Jaynendra Kumar @ Jaynendra Ram Son of Duryodhan Ram Resident of
Village and Post - Pyarepur, P.S.- Sarmera, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sushma Devi @ Sushmita Devi Wife of Jawendra Singh R/o Village -
Pyarepur, P.S.- Sarmera, District - Nalanda, At present Sushma Devi, D/o
Raju Ram, R/o Village - Bindichak, Post and P.S.- Kawakol, District -
Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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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 15.02.2025,

both the parties appeared with their respective counsel in

Chambers proceeding.

2. Heard the parties.

3. The petitioner is apprehending his arrest in

connection with Complaint Case No. 667 of 2022 for the

offence under Sections 498A, 323, 307, 354B of the Indian

Penal Code and 3/4 of the 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. Out of the said wedlock the complainant blessed with two female children.

5. Learned counsel for the petitioner submits that petitioner is quite innocent, committed no offence and has been falsely implicated in this case. There is general and omnibus allegation against the petitioner for dowry demand and torture. Petitioner has never demanded any dowry from the complainant and for that never tortured her.

6. During course of argument learned counsel for both the parties submitted that the matter is amicably settled between the parties and as per settlement, the petitioner is ready to pay Rs. 1,50,000/- as one settlement in favour of his wife (opposite party no. 2). He is ready to pay Rs. 50,000 as 1st installment at the time of filing bail bond and rest amount will be paid within 2 months from the date of first installment, regarding the aforesaid facts he will file an undertaking before the court below at the time of filing bail bond. Both the parties shall file a mutual divorce petition before the competent court.

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., Nawada in connection with Complaint Case No. 667 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. Trial Court will confirm his bail after verifying the payment of entire amount i.e. Rs. 1,50,000/- (one lakh fifty thousand).

(S. B. Pd. Singh, J)

prabhakar/-

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