

IN THE COURT OF SESSIONS JUDGE, MUNGER
ANTICIPATORY BAIL APPLICATION No.- 534/2026

Kamlesh Ray Vs. The State of Bihar
Complaint Case No. 880c/2024

21.05.2026

1. The present anticipatory bail application has been preferred by petitioner **Kamlesh Ray**, s/o- Sri Hareram who is apprehending arrest in connection with Complaint Case No. 880c/2024 u/s 85 and 115(2) of B.N.S.S and section 4 of D.P. Act., pending in the Court of the Ld. S.D.J.M, Munger.

2. The complainant has alleged that her marriage with the petitioner Kamlesh Ray was solemnized on 13.03.2022. She further alleged that she was subjected to torture and cruelty by all the accused persons including the petitioners towards dowry demand of a motorcycle and T.V. Ultimately, she was ousted from her matrimonial house. Hence, she preferred the present Complaint Case.

3. At the outset the Ld. Counsel has certified that previously no anticipatory or regular bail has been filed on behalf of the petitioner before this Court or before any other Court including the Hon'ble High Court. He also certified that **the petitioner has no criminal case pending against him**. The Ld. Counsel submits that the petitioner is innocent and has not committed any offence and further that he has been falsely implicated in the present case. That the petitioner is the husband of the complainant. That the cognizance in the case has already been taken by the Ld. Trial Court. He further submits that when both the parties of the case appeared before this Court, this Court was pleased to refer the matter to the Mediation Center, Munger wherein both the parties amicably settled their matrimonial disputes. That both the parties agreed to take divorce with mutual consent, as per the endorsement on the Settlement Agreement dated 08.05.2025 of the Mediation Center. Therefore the Ld Counsel pleads that the petitioner be granted the privilege of pre-arrest bail.

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4. The Ld. P.P. duly assisted by learned counsel for the complainant has fairly submitted that both the parties have agreed to take divorce with mutual consent.

5. Heard the submissions of respective Id. Counsels and perused the record of the case.

6. From the report of the Mediation Center it is apparent that both the parties amicably settled their matrimonial disputes and agreed to take divorce with mutual consent as per the endorsement on the Settlement Agreement dated 08.05.2026 of the Mediation Center and pursuant to which the statements of the the complainant/wife and petitioner/husband were recorded before this Court on 21.05.2026. As per their statements as well as the settlements, both the parties have agreed to separate and they will seek divorce by mutual consent u/s 13 (B) of the Hindu Marriage Act, 1955 before 21st June.

7. The complainant/wife deposed in her statement she has been living separately at her maternal home since 2024 and that her daughter is living with her. That she has amicably settled their matrimonial dispute with her husband and accordingly both have settled to dissolve their marriage by mutual divorce. Further she identified the Settlement Agreement and her signatures on it which are marked as **Exhibit-1 and Exhibit-1-1 respectively**. That she is voluntarily deposing before the Court.

8. That the petitioner/husband deposed that the daughter is living with his complainant/wife and that he has no objection to the same. That the complainant/wife is living in her maternal house. Further he identified the settlement agreement and his signatures on it which are marked as **Exhibit-1 and Exhibit-2 respectively**. That he is voluntarily deposing before the Court.

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9. That they have agreed to take appropriate steps towards proper disposal of the pending cases *qua* each other.

10. From the record it is apparent that the cognizance in the case has already been taken by the Ld. Trial Court. That the petitioner has no criminal antecedents as per para 3 of the present anticipatory bail application.

11. Hence, considering that both the parties have amicably settled their matrimonial disputes at the mediation center, and in the totality of the facts and circumstances of the case, this anticipatory bail application is hereby **Allowed**. Therefore, in the event of arrest or surrender of the petitioner within 15 days from the date of communication of this order, the petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Trial Court subject to the conditions as laid down U/S 438(2) Cr.P.C.

Dictated

(ALOK GUPTA)
Sessions Judge, Munger
Dated:- 21.05.2026