

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44359 of 2014

Arising Out of PS.Case No. -4088 Year- 2013 Thana -VAISALI COMPLAINT CASE District-
VAISHALI (HAJIPUR)

=====

Vinod Sah Son of Raghunath Sah Resident of Mohalla - Hanuman Nagar,
K-109, P.S. - Kankarbagh, Distt. - Patna.-20

.... Petitioner/s

Versus

1. The State of Bihar
2. Rukmini Devi D/o Prem Sagar, Resident of Village - Bhagwanpur,
Khajuri, P.S. - Baligawan, Distt. - Vaishali at Bajipur.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Anita Kri.Singh(App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

06/ 06-04-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case wherein
processes have been directed to be issued after cognizance being
taken for the offences punishable under Sections 498A of the
Indian Penal Code and 3/4 of Dowry Prohibition Act.

The basic accusation is of torture for non-
fulfillment of the dowry demand.

This matter was referred to the Mediation Centre
of the State Legal Services Authority. The report of the Mediator

at Flag 'A' reflects that the prayer was made for extension of two months time as the mediation could not concluded.

It is submitted by learned counsels for the petitioner and the complainant that the parties have settled their dispute outside the Court.

Both sides decided to part ways on payment of Rs.2,90,000/- by the petitioner to the complainant which he has already paid through bank draft. The complainant will also file appropriate application for withdrawal/compromise of the case before the learned court below which will be filed within a period of six weeks. The complainant shall keep the baby girl till she attains majority and thereafter the petitioner will be obliged to make payment for her studies and marriage and the complainant will have right to meet with the child. The furniture and other articles have already been returned as per the agreement. The petitioner will also provide the clothes and books to child so long she resides with mother or in alternative it is orally submitted that the petitioner will make payment of Rs.500/- from May, 2015 for the welfare of the child. The parties have also agreed to file matrimonial suit for divorce with mutual consent. Supplementary affidavit stipulating the terms of agreement with the joint signature of the petitioner and the complainant has been filed.

Considering the fact that issue has been resolved between the parties and the counsel for the complainant is not opposing the prayer for bail of the petitioner, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur connection with Complaint Case No. 4088 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

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