

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49550 of 2014

Arising Out of PS.Case No. -378 Year- 2013 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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Satish Kumar Son of Arvind Mahto Resident of Village - Bhadas (Uttri),
P.S. Khagaria, District - Khagaria

.... Petitioner/s

Versus

1. The State of Bihar
2. Rani Devi D/o Sri Bijay Mahton Resident of Village - Bhadas, P.S.
Muffasil, District - Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anita Kumari

For the Opposite Party/s : Mr. Iftekhar Mahmood (App)

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

ORAL ORDER

04/ 19-08-2015

Heard learned counsels for the petitioner, State

and the complainant-opposite party no.2.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 323, 498A and 120B 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.

Though, the matter was referred to the Mediation Centre of the Bihar State Legal Services Authority but issue could not be reconciled. A joint application has been filed today wherein it is stated that the petitioner and the complainant have decided to

part ways on permanent of permanent alimony of Rs.1,50,000/- when both sides agree to withdraw the case lodged against each other.

Considering the present stand of the parties, let the above named petitioner be released on anticipatory bail provisionally for three months 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 Sub-divisional Judicial Magistrate, Khagaria in connection with Complaint Case No. 378C of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on deposit of a draft of rs.1,50,000/- before the learned court below in favour of complainant-opposite party no. 2 which will be released in favour of complainant-opposite party no. 2 by the learned court below.

(Dinesh Kumar Singh, J)

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