

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33752 of 2015

Arising Out of PS.Case No. -94 Year- 2015 Thana -MEERGANJ District- GOPALGANJ

Najrullah @ Najrullah Bhagwan @ Md. Najrul @ Najrula Mian @
Najrullah Bagwan Son of Kamruddin resident of village- Line Bazar, P.S.-
Mirganj, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ajmeri Khatoon daughter of Late Bachni Miyan resident of village-
Harkhauni Pachim Mohalla Mirganj, P.S.- Mirganjm District- Gopalganj.

.... Opposite Party/s

With
Criminal Miscellaneous No.35564 of 2015

Arising Out of PS.Case No. -3094 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

Najrullah @ Najrullah Bhagwan @ Md. Najrul @ Najrullah Bagwan Son
of Kamurddin resident of Village- line Bazar, P.s Mirganj, District
Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ajmeri khatoon Daughter of late Bachni Miyan resident of village -
Harkhaune Bachim, Mohalla Mirganj, Ps. Mirganj District Gopalganj.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.33752 of 2015)

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Dr.Indiwar Kumari(App)

(In Cr.Misc. No.35564 of 2015)

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Dr. Indiwar Kumari (App)

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

ORAL ORDER

03/ 03-11-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the Informant/complainant is apprehending his arrest in Cr. Misc. No. 33752 of 2015 arising out of Mirganj P.S. Case No. 94 of 2015 registered for the offences punishable under Sections 494, 498A and 120B of the Indian Penal Code.

The basic accusation is of torture and performing second marriage.

The Cr. Misc. No. 35564 of 2015 arising out of Complaint Case No. 3094 of 2014 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.

It is jointly submitted by learned counsels for the petitioner and the informant/complainant that the issue has been settled before the Mediation Centre of State Legal Services Authority in Cr. Misc. No. 33752 of 2015 wherein the petitioner agreed to make payment of Rs.3700/- per month by 3rd day of every succeeding month by depositing the same in the bank account of the opposite party no. 2 (informant/complainant) for the welfare of the informant/complainant and the two children.



The report of the Mediator dated 08.10.2015 at Flag 'M' reflects as such.

It is submitted by learned counsel for the informant/complainant that the issue has been resolved on payment of Rs.3700/- per month.

Considering the present stand of the parties, let the above named petitioner in both the applications 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 bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Mirganj P.S. Case No. 94 of 2015/Complaint Case No. 3094 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

DKS/

(Dinesh Kumar Singh, J.)

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