

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6842 of 2016

Arising Out of PS.Case No. -84 Year- 2015 Thana -MAHILA PS District- GOPALGANJ

1. Guddu Kumar Gupta @ Gudoo Kumar Gupta, son of Surendra Gupta,
Resident of Village- Kutalipur, P.S.- Sidhwalia, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar & Anr.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5, Advocate

For the Opposite Party/s : Mr. J.N. Thakur (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 22-08-2016

Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 406, 420/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the petitioner that initially Gopalganj Town P.S. Case No. 219 of 2015 was registered under Sections 366, 363/34 of the Indian Penal Code, wherein it was alleged that the petitioner abducted the informant, but in the said case informant's statement under Section 164 Cr.P.C. was recorded wherein she stated that she of her own performed marriage with the petitioner, as

a result, Final Form was submitted in the aforementioned case.

On the joint prayer of the parties, the matter was referred vide order dated 07.04.2016 to the Mediation and Conciliation Centre of the Bihar State Legal Services Authority. The report of the Mediator at Flag-C dated 12.08.2016 reflects that the parties decided to part ways on payment of one time settlement amount of Rs. 2,25,000/-. The said amount has already been paid.

It is submitted by the learned counsel for the petitioner that issue has been resolved between the parties and amount has been paid. The contention of the learned counsel for the petitioner has not been controverted by the counsel for the informant.

In the circumstances, 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 Sub-Divisional Judicial Magistrate, Gopalganj in connection with Gopalganj (Mahila) P.S. Case No. 84 of 2015, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

Let, the order of this Court along with report of the Mediator and memorandum of agreement be transmitted to the learned court below.

It is lastly submitted that both sides have also agreed to file application under Section 13B of the Hindu Marriage Act within a period of six weeks from today for getting the marriage dissolved.

(Dinesh Kumar Singh, J)

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