

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9973 of 2016

Arising Out of PS.Case No. -343 Year- 2015 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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Qamrul Haque @ Kamrool Haque Son of Sk. Qayum resident of Village-
siswa (Kutchhariya tola P.s Banjaria District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sk. Zabiullah son of late Sk. Ayub resident of Village-Katahan P.s
Mufassil District East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar

For the Opposite Party/s : Mr. Md. Aslam Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

04/ 19-09-2016

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the daughter
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 Sections 498A, 323
of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the
petitioner that the petitioner admits his marriage with the daughter

of the complainant and has filed Informatory petition levelling accusations against the complainant's family on 15.12.2014 and thereafter on 24.02.2015 the present complaint was filed.

On the joint prayer of the parties the matter was referred to the Mediation and Conciliation Centre of the State Legal Services Authority vide order dated 14.07.2016. The report of the Mediator dated 15.09.2016 reflects that none appeared before the Mediation.

However, it is submitted by learned counsel for the petitioner that the issue has been reconciled between the parties. A compromise petition has been filed before the learned court below on 29.08.2016. The certified copy of the said petition is being produced. Let it be kept on record.

None appears on behalf of opposite party no. 2.

Keeping in view of the above facts, let the above named petitioner be released on provisional anticipatory bail for two 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 Judicial Magistrate, Ist Class, East Champaran at Motihari in connection with Complaint Case No. 343-C of 2015, 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 verification of the factum of filing of compromise petition.

(Dinesh Kumar Singh, J)

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