

Arising from the above, the following questions arise:

1. As regards the P.S. of the State, the following questions arise:

1. The State is not a party to the dispute.
2. Sabir is not a party to the dispute.
3. The President is not a party to the dispute.
4. The District Judge is not a party to the dispute.

1. Asgar Shah Son of Md. Fuddu Shah resident of village - Bala Bigha,
P.S. Haspura and Distt. - Aurangabad

Versus

- Opposite Party/s

For the Petitioner/s : Mr. Anirudh Kumar Verma
For the Opposite Party/s : Mr. Indu Kumari Srivastava(App)

11 18-10-2016 The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The petitioner and the complainant are present in the Court.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the complainant but petitioner claims to have divorced the

complainant. It is further submitted that the issue has been resolved between the parties on payment of one time settlement amount of Rs. 45,000/- and the said amount has already been paid to the complainant.

Mr. Kumar Kamal Nayan, learned counsel for the complainant, does not controvert the contention of the counsel for the petitioner and since the issue has been resolved, he is not opposing the prayer for bail of the petitioner though petition to that effect has not been filed before this Court.

Considering the present stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Aurangabad in connection with Complaint Case No. 638 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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