

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50299 of 2015

Arising Out of PS.Case No. -48 Year- 2015 Thana -MAHILA PS District- GOPALGANJ

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1. Shadab Ahmad, S/o Anwar Ahmad @ Chotu, R/o X-Ray House,
Bakarganj, Gola Road, P.S. Pirbahor, Patna, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shabana Seraj, W/o Shadab Ahmad, D/o Serajul Huq, R/o Mirlipur, P.S.
Thawe, Dist- Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avanish Kumar Singh, Advocate

For the Opposite Party/s : Mr. Gopesh Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 27-06-2016 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, 406/34 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.

The petitioner and informant are present.

It is submitted by the learned counsel for the petitioner that petitioner admits the marriage with the informant and is ready to keep the informant as wife with full dignity and honour.

On the joint prayer of the parties the matter was

referred to the Mediation Centre of Bihar State Legal Services Authority vide order dated 29.03.2016. The report of the Mediator at Flag-A dated 22.06.2016 reflects that the issue could not be resolved.

It is submitted by the learned counsel for the petitioner that even today the petitioner is ready to keep the informant as wife with full dignity and honour.

However, learned counsel for the informant submits that informant is actually apprehensive due to past conduct of the petitioner and his mother. Though, before the Mediator the issue could not be resolved in terms of one time settlement.

However, learned counsel for the petitioner submits that petitioner is ready to make payment of Rs. 7,500/- per month from July, 2016 to the informant by depositing the same in her account by second week of every month.

Learned counsel for the Informant submits that informant is ready to accept the offer of the petitioner and undertakes to submit her Bank Account Number within a period of two weeks.

Considering the present stand of the parties, 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) Police Station Case No. 48 of 2015, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

The aforesaid payment will be subject to any order being passed in matrimonial or maintenance proceedings.

Three consecutive defaults in making payment will give liberty to the informant to file application for cancellation of bail of the petitioner.

The present order, in no way, will preclude the parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J)

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