

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53186 of 2015

Arising Out of PS.Case No. -6 Year- 2015 Thana -MAHILA P.S District-
WESTCHAMPARAN(BETTIAH)

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1. Rahmatullah Khan @ Mukul Son of Late Abdul Hai Khan, resident of Mohalla- Ghosukpura Baswariya, Ward No.31, P.S. Bettiah (Town) District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Tabassum Khatoon Wife of Rahmatullah Khan, D/o Late Saiyad Md. Alam resident of Ghosukpur Ward No.31, P.S. Bettiah (T), District West Champaran. at present Micol Colony, Baswariya, P.S.- Bettiah (Town), District- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

5 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, 307, 120B/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 and making an attempt to kill them by causing burn injuries.

It is submitted by the learned counsel for the petitioner that petitioner admits the marriage with the informant, but the petitioner filed Matrimonial Suit No. 355 of

2014, thereafter the present First Information Report was lodged on 01.06.2015.

On the joint prayer of the parties the matter was referred to the Mediation Centre of State Legal Services Authority vide order dated 01.04.2016. The report of the Mediator at Flag-X reflects that the issue has been resolved in terms of payment of Rs.4,000/- per month from July, 2016 for the welfare of the informant and the children. The terms of agreement is annexed with the report of the Mediator.

It is submitted by the learned counsel for the informant that the issue has been resolved in terms of the agreement between the parties which is part of the report of the Mediator.

In that view of the matter, let the above named petitioner be released on 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, Bettiah, West Champaran in connection with Bettiah (Mahila) P.S. Case No. 06 of 2015, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

Either party will be at liberty to file appropriate application on breach of the terms of the agreement.

Let, the report of the Mediator
dated 22.06.2016 be transmitted before the concerned learned
court below.

(Dinesh Kumar Singh, J)

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