

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55026 of 2015

Arising Out of PS.Case No. -3 Year- 2015 Thana -MAHILA P.S. District- SITAMARHI

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Halim Ansari Son of Late Hakim Ansari resident of village - Berbas, P.S.
Dumra, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Mahamuda Khatoon W/o Halim Ansari D/o Ijajul Ansari resident of
village - Haroursari, P.O. Gisora, P.S. Parsauni, District - Sitamarhi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar
For the Opposite Party/s : Mr. Suresh Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

03/ 08-02-2016 Heard learned counsels 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 341, 323, 498A, 504/34 of the Indian Penal Code and 4 of Dowry Prohibition Act and 3/4 of Dowry Prohibition Act.

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

On the joint prayer of the parties the matter was referred to the Mediation Centre of the Bihar State Legal Services Authority. The report of the Mediator dated

05.02.2016 at Flag 'A' reflects that both sides agree to part ways on payment of permanent alimony of Rs. 3,00,000/- (Three lakhs) on dissolution of the marriage. Out of Rs.3,00,000/-, Rs. 50,000/- has already been paid and rest amount of Rs.2,50,000/- has been paid within a period of six months.

Counsel for the informant is not disputing the terms of agreement arrived at between the parties.

In the circumstances, let the above named petitioner be released on anticipatory bail provisionally for six 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 bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi Mahila P.S. Case No. 03 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provision bail of the petitioner will be confirmed by the learned court below on admission of the informant that she has received the balance amount of Rs.2,50,000/- (Two lakhs fifty thousand).

Let the order be transmitted to the learned court



below along with the terms of agreement between the parties
annexed with the report of the Mediator at Flag’A’.



(Dinesh Kumar Singh, J.)