

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4794 of 2016

Arising Out of PS.Case No. -204 Year- 2015 Thana -RAJPUR District- BUXAR

=====

1. Vivek Kumar Singh Son of Alkendra Narayan Singh @ Dauji, Resident of Village - Kundesar, Police Station - Bhawar Kali, District - Gazippur, (Uttar Pradesh).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Aruna Rai, Daughter of Paras Nath Rai, Resident of Village - Dehri, Police Station - Rajpur, District - Buxar, Presently residing at Satrmganj Bazar, Bhadoura, Police Station - Bhadoura, District - Gazipur (Uttar Pradesh).

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 03-05-2016 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 341, 323, 307, 504, 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basis accusation is of torture for non-fulfillment of dowry demand. It is alleged that the petitioner and father of petitioner used to assault the informant and ultimately the informant was driven out from the matrimonial house after snatching all his

ornaments.

On joint prayer of the parties, the matter was referred to the Mediation Centre of Bihar State Legal Services Authority vide order dated 29.01.2016. The report of the Mediator at Flag-M reflects that both sides decided to part ways on payment of permanent alimony of Rs. 13,00,000/-, out of which Rs.10,00,000/- has already been paid and draft of Rs.3,00,000/- bearing no. 4 NS 956337 has already been deposited before the Mediator which has been transmitted to this Court.

Let, the draft be handed over to the learned counsel for the informant for being handed over to the informant.

It is expected from the learned counsel for the informant to make endorsement on record. A supplementary affidavit has been filed on behalf of parties which stipulate that both sides agree to file an application under Section 13B before the Principal Judge, Family Court, Buxar (for dissolution of marriage) with consent.

Considering the aforesaid facts, 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, Buxar in connection with Rajpur P.S. Case No. 204 of 2015, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

It is expected from the Principal Judge, Family Court, Buxar that on filing of the application under Section 13B it should be disposed of expeditiously in accordance with law.

The parties also agree to file an affidavited application before the learned Sub-Divisional Judicial Magistrate, Buxar in the present case being Rajpur P.S. Case No. 204 of 2015 bringing on record the terms of agreement arrived between the parties before the Mediation Centre of Bihar State Legal Services Authority. On filing of the same, the learned Sub-Divisional Judicial Magistrate, Buxar will make endeavour to conclude the proceeding expeditiously.

(Dinesh Kumar Singh, J)

P.K./-

U		T	
---	--	---	--