

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11858 of 2016

Arising Out of PS.Case No. -59 Year- 2015 Thana -HATHAURI District- MUZAFFARPUR

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Rabindra Sahani @ Ravinder Sahani Son of Maheshwar Sahani Resident of
Village- Dakrama, P.S.- Hathauri, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Kiran Devi Wife of Ravinder Sahani, Daughter of Meghu Sahani,
presently residing at village Govind Pitaujiya, P.S. Runnisaidpur,
District – Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Rajendra Prasad Nat (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

04/ 26-09-2016

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 498A of the Indian Penal Code
and 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the
petitioner that the petitioner admits his marriage with the
informant. The informant gave birth to a matured child within six
months of the marriage, hence the petitioner has filed Matrimonial

Suit No. 463 of 2013 with a prayer for dissolution of marriage but the present FIR has been lodged after about two years of the filing of the matrimonial suit in 2015.

On the joint prayer of the parties the matter was referred to the Mediation and Conciliation Centre of the State Legal Services Authority vide order dated 25.07.2016. The report of the Mediator at Flag 'A' dated 20.09.2016 reflects that both sides decided to part ways on payment of one time settlement amount of Rs.70,000/-.

It is submitted by learned counsel for the petitioner that the petitioner has already paid the agreed amount of Rs.70,000/- to the informant.

It is submitted by learned counsel for the informant that the informant has received the said amount. Supplementary affidavit has been filed to that effect annexing the copy of the cheque as Annexure-5.

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 Judicial Magistrate, Ist

Class, Muzaffarpur in connection with Hathauri P.S. Case No. 59 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The parties will be at liberty to file appropriate application with regard to the present stand before the learned court below when the learned court below will conclude the proceeding expeditiously in accordance with law.

(Dinesh Kumar Singh, J)

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