

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17389 of 2015

Arising Out of PS.Case No. -142 Year- 2014 Thana -JALALPUR District- SARAN

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1. Subhash Sah S/o Rajvanshi Sah, R/o vill.- Rulhi Gamharaiya, P.S.-
Jalalpur, District- Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh

For the Opposite Party/s : Mr. P.K.Choursiya(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

12 16-08-2016

The petitioner being husband of the daughter of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 494, 498A, 306/34 of the Indian Penal Code.

The basic accusation is of torture, performing second marriage and the grand-daughter of the informant died due to the apathetic attitude of the petitioner.

On the joint prayer of the parties, the matter was referred to the Mediation & Conciliation Centre of the Bihar State Legal Services Authority vide order dated 01.10.2015. The report of the Mediator at Flag-M dated 21.01.2016 reflects that the issue could not be resolved through the process of mediation. However, a joint affidavit has been filed with the signature of the petitioner and the daughter of the informant that the issue has been resolved on payment of one time settlement amount of Rs. 2,00,000/-.

It is submitted by learned counsel for the petitioner that he hands over a draft of Rs. 2,00,000/- to the counsel for the daughter of the informant who undertakes to hand it over to the daughter of the informant. In the circumstance, the counsel for the informant is not opposing the prayer for bail of the petitioner.

Both sides agree to file appropriate application before learned Court below bringing on record that the issue has been resolved between the parties when it is expected from learned Court below to conclude the proceeding in accordance with law.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Jalalpur P.S. Case No. 142 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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