

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11842 of 2016

Arising Out of PS.Case No. -4 Year- 2016 Thana -MAHILA P.S. District- NALANDA
(BIHARSHARIFF)

=====

1. Vikrant Kumar S/o- Premchand Choudhary, R/o- Mohalla- Bhaisasur,
Hospital Mor, P.S.- Laheri, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Kumari, W/o Vikrant Kumar, D/o- Shri Prem Kumar Chaudhary,
R/o- Village- Sodih, P.S.- Sohsarai, District- Nalanda

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar
For the Opposite Party/s : Mr. Sanjay Kumar Pandey (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 27-09-2016 The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 379, 323, 494/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand and performing second marriage.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant but submitted that this fact was concealed that informant was suffering from leucoderma from before as there were white patches all over the body of the informant. Hence,

the petitioner filed Matrimonial Suit No. 319 of 2015 with a prayer for divorce on 23.11.2015 and thereafter the present F.I.R was registered on 10.01.2016.

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 25.07.2016.

It is submitted by learned counsel for the petitioner that at the Mediation Centre the issue has been resolved on payment of one time settlement amount of Rs. 6,11,000/- and the said amount has already been paid.

Mr. Raj Kishore Prasad, learned counsel for the informant does not controvert the fact that in pursuance to the agreement arrived at before the Mediation Centre, the informant has received one time settlement amount of Rs. 6,11,000/-.

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 Sub-Divisional Judicial Magistrate, Nalanda at Bihar Sharif in connection with Mahila P.S. Case No. 04 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the report of the Mediator along with the terms of the agreement be transmitted to the learned Court below.

Shageer/-

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

(Dinesh Kumar Singh, J)