

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16685 of 2016

Arising Out of PS.Case No. -95 Year- 2015 Thana -SIKTI District- ARRARIA

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1. Binod Sada @ Vinod Sada Son of late Chhutahru Sada Resident of
Village- Chargharia, PS Sikty (O.P Bardaha), District Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Md.Fahimuddin(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 27-09-2016 The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 363/34 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 keeping the children of the informant in confinement.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant and is ready to keep the informant with dignity and honour. A statement to that effect has been made in para 12 of the petition which reads as follows:-

“That the petitioner is
ready to keep the complainant with full dignity
and honour.”

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 04.08.2016.

It is submitted by learned counsel for the petitioner that both sides resolved the issue on payment of Rs. 1500/- per month by the petitioner to the informant. The informant did not agree to resume the conjugal life since petitioner has performed second marriage.

Mr. Rajesh Kumar Singh, learned counsel for the informant does not controvert the contention of the counsel for the petitioner and is not opposing the prayer for bail of the petitioner.

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 Chief Judicial Magistrate, Araria in connection with Sikty (Bardaha) P.S. Case No. 95 of 2015, 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.

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(Dinesh Kumar Singh, J)