

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19798 of 2014

Arising Out of Complaint Case No. -734 Year- 2011 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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Md. Phool @ Phool Md. Son of Md Sarphuddin

.... Petitioner/s

Versus

1. The State of Bihar

2. Ladali Khatoon Wife of Md Phool, D/o Md Arman

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Ram Naresh Roy (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

8 01-08-2016 Heard learned counsels for the petitioner, complainant
and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

The petitioner was granted provisional anticipatory bail vide order dated 15.05.2014 by a co-ordinate Bench of this Court when it was directed to deposit Rs.750/- per month in the Court below to be released in favour of the complainant. Subsequently, on willingness of the parties, vide order dated 13.05.2015, the



matter was referred to the Patna High Court, Mediation and Conciliation Centre, to explore the possibility of settlement. The report of the mediator, dated 14.09.2015, kept at 'Flag-B', suggests that the parties decided to part ways on payment of one time settlement of Rs.2,00,000/- (Rupees two lakh only) on which Rs.40,000/- was paid to the complainant through Bank draft during the mediation proceeding itself whereas it was agreed to make payment of rest of the amount i.e. Rs.1,60,000/- by 11.08.2016 before the Principal Judge, Family Court, West Champaran at Bettiah where the Maintenance Case No.222/2012 is pending.

It is submitted by learned counsel for the petitioner that the entire amount of Rs.2,00,000/- has already been paid to the complainant.

The contention of learned counsel for the petitioner is not being controverted by Mr. Gauri Shankar Thakur (AOR No.801), learned counsel appearing for the complainant, who further, is not opposing the prayer for confirmation of provisional anticipatory bail of the petitioner.

Let, the provisional anticipatory bail granted to the petitioner in connection with Complaint Case No.734C/2011, pending in the Court of learned SDJM, Bettiah, West Champaran,

is hereby confirmed.

It is made clear that the petitioner is not required to deposit Rs.750/- per month before the learned Court below as directed earlier vide order dated 15.05.2014 by a co-ordinate Bench of this Court.

Accordingly, the condition of provisional anticipatory bail is modified to that extent.

(Dinesh Kumar Singh, J)

Ashwini/-

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