

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12661 of 2016

Arising Out of PS.Case No. -768 Year- 2015 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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Mukesh Sah @ Mukesh Sahu Son of Ganesh Sah Resident of Mohalla -
Chauhatta, P.S. Town Hajipur, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. Amisha Kumari @ Manisha Kumari W/o Mukesh Sah, D/o Kishori Sah
At Present residing at village - Baikunthpur, P.S. Rajapakar, District -
Vaishali

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh

For the Opposite Party/s : Mr. Dr.Ravinddra Kumar(App)

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

12/ 30-03-2017

Heard Mrs. Madhvi, learned counsel for the
petitioner, Mr. Ashok Kumar, learned counsel for the
informant-opposite party no.2 and Mr. J.N. Thakur, learned
counsel for the State. .

The petitioner being the husband of the
informant is apprehending his arrest in a case registered for the
offences punishable under Sections 341, 323, 324, 307,
498A/34 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 and making assault.

It is submitted by learned counsel for the



petitioner that the petitioner admits his marriage with the informant having no issue.

A joint compromise petition has been filed today with stipulation that the petitioner and the informant have decided to part ways on payment of one time settlement amount of Rs.4,50,000/-. A draft of the said amount bearing Draft No. 250200 8440100041 000001 16 issued by Allahabad Bank dated 06.03.2017 has been handed over by the counsel for the petitioner to the counsel for the informant for being handing over to the informant. It is expected from the learned counsel for the informant to make endorsement to that effect on record. The parties have also agreed to dissolve the marriage through Matrimonial Suit No. 305 of 2015 which is already pending and withdraw/compromise Maintenance Case No. 196 of 2015 and present case being Hajipur Town P.S. Case No. 768 of 2015.

Counsel for the informant does not controvert the contention of the learned counsel for the petitioner and is not opposing the prayer for anticipatory bail of the petitioner.

Considering the present stand of the parties, let the above named petitioner namely, Mukesh Sah @ Mukesh Sahu 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 bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 768 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J.)

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