

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14339 of 2016

Arising Out of PS.Case No. -50 Year- 2015 Thana -MAHILA PS District- GAYA

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Alok Kumar Pankaj, Son of Sunil Yadav, Residents of Village- Chatar,
P.S.- Makhdumpur, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Riku Devi W/o Alok Kumar Pankaj, Son of Sunil Yadav, Residents of
Village- Chatar, P.S.- Makhdumpur, District- Jehanabad. present address
D/o Sideshwar Yadav, at Village- Paharpur (Chomar), P.S.- Tankuppa,
District- Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Mr. Ashraf Ansari(App)

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

ORAL ORDER

10 11-04-2017 Petitioner being husband of the informant is

apprehending his arrest in a case registered for the offences

punishable under Sections 498A, 504/34 of the I.P.C and ¾ of the

D.P. Act

The basic accusation is of torture for non-fulfillment of

dowry demand.

It is submitted by learned counsel for the petitioner that

petitioner denies the factum of marriage.

Learned counsel for the informant submits that the

informant claims that the petitioner performed marriage with the

informant and birth of a male child namely, Satyam.

However, it is jointly submitted that the issue has been

resolved and the petitioner agreed to make payment of Rs. 10 lacs

to the informant for the welfare of the informant and her minor



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son namely, Satyam. The said amount will be paid in five installments within a period of 15 months through Bank Draft deposited in the Bank Account of the Opposite Party no. 2 bearing No. 3325001700126529 of PNB Tankuppa, Gaya. It is further agreed that the informant and her son will not claim anything further from the petitioner and on depositing Rs. 10 lacs in the Bank Account of the informant, she will withdraw all cases including the present case and the maintenance case. In this regard a joint compromise petition has been filed. The terms of the compromise has been stated in paragraph no. 3 of the compromise petition which reads as follows :-

“i. That the opposite party no. 2 has demanded the amount of Rs. 10,00000/-(Rupees Ten Lac only) for her livelihood and her minor son namely, Satyam from the petitioner as one time settlement.

ii. That pursuant to the aforesaid offer of the opposite party No. 2, the petitioner is ready to deposit the aforesaid amount of Rs. 10,00000/-(Rupees Ten Lac only) in the Bank Account of the opposite party No. 2. A/C 3325001700126529 of PNB Tankuppa, Gaya in five (5) installments within fifteen months (15 months).

iii. That the opposite party No. 2 and her minor son namely, Satyam shall neither be entitled nor claimed in further for more amounts from the petitioner and apart



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from that they shall also not be entitled claimed in future for any share of the ancestral property and self acquired property of the petitioner and his family members.

iv. that after deposition the aforesaid amount Rs. 10,00000/-(Rupees Ten Lac Only), the opposite party no. 2 shall withdraw of her all the cases including the present case and maintenance case from the court below or any other forum, which have been filed against the petitioner and his family members.

In the circumstances, the informant is not opposing the prayer for bail of the petitioner.

Considering the aforesaid stand of the parties, 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, Gaya in connection with Mahila P.S. Case No. 50 of 2015 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The counsels for the parties are expected to file a copy of the compromise petition before the learned court below on affidavit.

(Dinesh Kumar Singh, J)

Prakash/-

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