

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13898 of 2017

Arising Out of PS.Case No. -519 Year- 2016 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

=====

1. NAGENDRA THAKUR, son of Suresh Thakur, resident of village-
Tetariya Rekhaiyee, Police Station- Kateya, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar.
2. Seema Devi, daughter of Balister Thakur, R/o Village- Bhoreypatti, P.S.
Mirganj, District- Gopalganj.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

Mr. Avinash Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 19-07-2017

Heard learned counsel for the Petitioner and the

State as well as counsel for the Opposite Party No.2.

The Petitioner apprehends his arrest in Complaint
Case No.519 of 2016 instituted for the offence under Section(s)
498-A Indian Penal Code. And Section 34 of the Dowry
Prohibition Act.

It has been submitted on behalf of the petitioner that
the matter was sent to Mediation Centre and both parties have
arrived at amicable settlement. It has further been submitted by the
counsel for the petitioner that Matrimonial Case No.10 of 2016 is
pending in the Court of the Principal Judge, Family Court,
Gopalganj. The petitioner has agreed to make payment of rupees



one lac fifteen thousand in the matrimonial case before the Court concerned and also to return the Box kept in the house of the petitioner and thereafter marriage between the parties will be dissolved with mutual consent. Thereafter, the complainant will also withdraw the complaint case filed by her against the petitioner.

Counsel for the Opposite Party No.2 has stated that the parties have agreed on the aforesaid terms in the mediation and he has no objection.

In such circumstances, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Complaint Case No.519 of 2016, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will



automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

It is made clear that in the event the petitioner commits default in complying the condition agreed between the parties in the Mediation Centre, the complainant will be at liberty to file appropriate application in the Court below for cancellation of bail of the petitioner, which shall be disposed off on its own merit without being prejudiced by the observation made above.

The petitioner will make payment of the settled amount of ₹1,15,000/- to the complainant either by Demand Draft or Cheque in presence of the Principal Judge, Family Court, Gopalganj, within two months from his release on bail.

(Sanjay Priya, J)

JA/-

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

