

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20608 of 2017

Arising Out of PS.Case No. -13 Year- 2017 Thana -GHOGHARDIHA District- MADHUBANI

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1. Raju Yadav, son of Sri Mahendra Yadav, resident of Village- Bholirahi,
P.S.- Ghoghardiha, District- Madhubani.

.... Petitioner

Versus

1. The State of Bihar.
2. Lalita Devi, wife of Raju Yadav, resident of Village- Bholirahi, P.S.-
Ghoghardiha, District- Madhubani. presently daughter of Ramdeo Yadav,
resident of Village- Koriyahi, P.S.- Laukahi, District- Madhubani.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit

For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 12-10-2017 Heard the learned counsel for the petitioner, learned
counsel for the Opposite Party No.2 and learned counsel for the
State.

The petitioner is apprehending his arrest for the
offences instituted under Sections 341, 323, 498(A)/34 of the
Indian Penal Code and Section 3/4 of D.P. Act.

The allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of the demand of
dowry.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The



petitioner has falsely been implicated in the present case. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of **Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.**

On behalf of the State and counsel for the Opposite Party No.2, it has been submitted that the dispute has been settled between the parties.

Vide order dated 09.08.2017, the matter was referred to the Mediation and reconciliation Centre, Patna High Court, Patna.

Following is the report submitted by the Mediator:-

“An agreement made on 03.10.2017 at the High Court Patna Mediation Centre between Raju Yadav, son of Sri Mahendra Yadav, resident of Village- Bholirahi, P.S.- Ghoghardiha, District- Madhubani and Lalita Devi, wife of Raju Yadav, resident of Village- Bholirahi, P.S.- Ghoghardiha, District- Madhubani. presently daughter of Ramdeo Yadav, resident of Village- Koriyahi, P.S.- Laukahi, District- Madhubani”.

The parties have settled their dispute on the following grounds:-

1. That parties have settled their dispute amicably



through the process of mediation.

2. That both parties have decided to live together as husband and wife. They have further decided to not peruse the cases instituted against each other in the lower court below.

3. That no dispute is, now, left between the parties.

4. That terms and conditions of this compromise /settlement have been read over the parties and they have understood the same.

Considering the fact that the matter has been settled between the parties, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Ghoghardiha P.S. Case No.13/2017, G.R. No.172 of 2017 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jhanjharpur, Madhubani, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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