

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12171 of 2017

Arising Out of PS.Case No. -327 Year- 2015 Thana -SHEKHPURA COMPLAINT CASE District-
SEKHPURA

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1. Md. Vasim Khan, s/o Md. Nasim Khan, (30 years) (Husband), R/o
Sarmera, P.S.- Sarmera & District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Farhat Jahan, W/o Md. Vasim Khan, D/o Md. Kamsud Khan, R/o
Village- Chauawan, P.S.- Shekhopur Sarai, District- Sheikhpura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

Mr. Syed Rizwanul Haque, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 07-09-2017

Heard learned counsel for the petitioner and learned

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

Petitioner apprehends his arrest in Complaint Case
No.327-C of 2015 instituted for the offence under Section(s) 498-
A Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act.

Husband is present in Chambers with his father.

Opposite Party No.2-wife could not appear
personally as she has sustained some injury in her leg as
informed by her lawyer.

Husband has stated that he is ready to make payment
of rupees fifty thousand to the Opposite Party No.2-wife even



today. He could not credit the amount in her account because she was not having account in the bank.

Counsel for the Opposite Party No.2-wife has submitted that the matter has been amicably settled between the parties and the petitioner-husband has agreed to make payment of rupees one lac ten thousand to the Opposite Party No.2-wife as one time settlement amount. He has further submitted the Opposite Party No.2 is ready to accept the amount of rupees one lac ten thousand as one time settlement amount.

In such circumstances, the petitioner is directed to surrender before the Court below i.e. Sub-Divisional Judicial Magistrate, Sheikpura, in connection with Complaint Case No.327-C of 2015 on 21st September, 2017, after informing the Opposite Party No.2-wife, who will make herself available in the Court on that date, and make payment of rupees fifty thousand to the Opposite Party No.2-wife and in that event, the petitioner will be released on provisional bail for a period of six months on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to its own satisfaction.

The petitioner will make payment of the remaining amount of rupees sixty thousand to the Complainant within a period of five months. After making full payment of the amount



of one time settlement by the petitioner to the Complainant, the Court below will confirm the provisional bail of the petitioner even before six months if he makes payment of the entire amount to the Complainant.

It is made clear that in the event the petitioner does not make payment of rupees fifty thousand, as ordered above, or the petitioner makes default in making payment of the remaining amount of rupees sixty thousand, the Court below will be at liberty to pass appropriate order in accordance with law including cancellation of provisional bail of the petitioner.

It is further clarified that the after receiving total amount of one time settlement i.e. rupees one lac ten thousand, the Complainant will take steps in accordance with law for withdrawing all the cases filed by her against the petitioner without any delay.

This application is, accordingly, disposed off.

(Sanjay Priya, J)

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