

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41019 of 2016

Arising Out of PS.Case No. -25 Year- 2016 Thana -MAHILA PS District- GOPALGANJ

- =====
1. Binod Manjhi S/o Ranjit Manjhi.
 2. Kunti Devi, W/o Ranjit Manjhi.
 3. Ranjit Manjhi @ Ramjit Manjhi, S/o Late Mangani Manjhi.
 4. Sunita Devi, W/o Vijay Manjhi.
 5. Sumitra Devi, W/o Deep Lal Manjhi.
 6. Malti Devi, W/o Ram Surat Manjhi.
 7. Sindhu Kumari, D/o Ranjit Manjhi.
 8. Rita Devi W/o Surendra Manjhi. All resident of Village- Sakhe Khash,
P.S.- Uchka Gaon, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Mr. Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

07/ 20-03-2017

Heard learned counsels for the petitioners,
informant-opposite party no. 2 and Mr. J.N. Thakur for the
State.

Petitioner no. 1 being the husband of the
informant and petitioner nos. 2 to 8 being the parents, brother's
wife, aunt and sister of the husband of the informant are
apprehending their arrest in a case registered for the offences
punishable under Sections 494, 498A, 406/34 of the Indian
Penal Code and 3/4 of Dowry Prohibition Act.

The basic accusation is of torture for non-



fulfillment of the dowry demand and performing second marriage by petitioner no. 1.

On the joint prayer of the parties vide order dated 20.09.2016 the matter was referred to the Mediation and Conciliation Centre of the State Legal Services Authority. The report of the Mediator at Flag 'B' dated 20.12.2016 reflects that both sides have decided to part ways on payment of one time settlement amount of Rs.2,00,000/-, out of which Rs.1,00,000/- was to be paid on 20.12.2016 and the rest one month thereafter but the said amount has not been paid. But on 13.02.2017 the petitioner no.1 has paid Rs.1,00,000/- through cheque drawn on SBI, Dahibhatta Branch, Gopalganj.

Today the counsel for the petitioners has brought a cheque of Rs.1,00,000/- drawn on SBI, Dahibhatta Brnach, Gogalganj.

Counsel for the informant accepts the cheque of Rs.1,00,000/- for handing over to the informant and undertakes to make endorsement on record with regard to receiving of the cheque.

Counsel for the petitioners submits that as per the terms of agreement arrived at during mediation the petitioner no. 1 has made payment of the undertaken amount



and on this score the counsel for the informant is not opposing the prayer for anticipatory bail of the petitioners.

Counsels for the parties submit that both have agreed to file matrimonial suit for getting the marriage dissolve and also agreed to file appropriate application for withdrawal/compromise of the present case before the learned court below.

Considering the present stand of the parties and the terms of agreement arrived at during mediation, let the above named petitioners be released on anticipatory bail in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Mahila P.S. Case No. 25 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J.)

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