

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52183 of 2016

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1. Samsuddin Ansari S/o Md. Ilias Ansari R/o Village Narayanpur, P.S. - Narayanpur, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Jahana Khatoon W/o Samsuddin Ansari, D/o - Md. Muzurbul Ansari R/o presently residing at Village : Sotwan, P.S. - Nokha, District : Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar

For the Opposite Party/s : Mr. Sri Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 08-02-2017

Heard learned counsel for the parties.

The present application has been filed for modification of the order dated 1.8.2016 passed in Cr. Misc. No. 54600 of 2015 whereby the petitioner was permitted to make payment of rest one time settlement amount of rupees one lac fifty thousand within a period of three months.

The factual matrix would unveil that the petitioner being husband of the informant preferred Cr. Misc. No. 54600 of 2015 with the prayer for grant of anticipatory bail in a case registered under section 498A/34 IPC and sections 3 and 4 of Dowry Prohibition Act. On the joint prayer of the parties, the matter was referred to the Mediation and Conciliation Centre of



the State Legal Services Authority vide order dated 11.4.2016. The interim report of Mediator dated 29.7.2016 suggests that both the petitioner and the informant decided to part ways on payment of one time settlement amount of Rs.200000/- out of which two drafts each of Rs.25000/- were paid to the informant before the Mediator and for payment of rest of Rs.1,50,000/- three months time was granted by this court.

It is submitted by learned counsel for the petitioner that the petitioner could not pay the said amount but now he is ready to make payment of the said amount of Rs.1,50,000/- to the informant. It is further submitted that still the bail bonds of the petitioner have not been cancelled.

Learned counsel for the informant has no objection if the amount is paid. Hence, it is expected from the petitioner to make payment of Rs.1,50,000/- to the informant through bank draft by depositing the same before the learned SDJM, Rohtas within a further period of three week and it is expected from the learned SDJM, Rohtas to release the said bank draft in favour of the informant on proper identification.

Accordingly, the order dated 1.8.2016 passed in Cr. Misc. No. 54600 of 2015 is modified to the extent indicated above. It is, however, made clear that if the petitioner will not



deposit the bank draft of the aforesaid amount then the informant will be at liberty to file an application before the learned court below for cancellation of bail bonds of the petitioner.

The modification application is, accordingly, disposed of in connection with Nokha P.S. Case No. 123 of 2015 pending in the court of the learned SDJM, Rohtas.

(Dinesh Kumar Singh, J)

Anil/-

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