

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40821 of 2016

Arising Out of PS.Case No. -713 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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Nitish Kumar Sinha Son of Shree Paras Prasad Sinha resident of Mohalla-
Chatti Bazar, Gola Road, Police Station- Ramgadh, District- Ramgarh
(Ranchi).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Soni Kumari W/o Shree Umesh Kumar Chaudhary, resident of Mohall-
Langar Toli, Police Station- Kadamkuan, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

05/ 09-02-2017

Heard learned counsels for the petitioner, State
and the complainant-opposite party no.2.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case wherein
process has been directed to be issued after cognizance being
taken for the offences punishable under Sections 498A of the
Indian Penal Code and 4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-
fulfillment of the dowry demand.

It is submitted by learned counsel for the
petitioner that the petitioner admits his marriage with the
complainant having no issue. It is further submitted that the



petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in paragraph no. 12 of the petition, which reads as follows:-

“That the petitioner is ready to keep the complainant in his house with regard to her dignity and respect.”

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 20.09.2016. The report of the Mediator dated 22.12.2016 at Flag ‘B’ reflects that the issue has been resolved and both sides decided to part ways on payment of one time settlement amount of Rs.6,25,000/- (Six lakhs twenty five thousand) and the same has been paid through various cheques. Hence, learned counsel for the petitioner submits that now the issue has been resolved and petitioner deserves to be enlarged on anticipatory bail.

It is submitted by learned counsel for the complainant that the complainant is not opposing the prayer for anticipatory bail of the petitioner since the issue has been resolved and she has already encashed the cheque of one time settlement amount.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of



his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Patna in connection with Complaint Case No. 713(C) of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the order be transmitted to the learned court below along with the report of the Mediator including the terms of the agreement arrived at between the parties.

(Dinesh Kumar Singh, J)

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