

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46788 of 2016

Arising Out of PS.Case No. -100 Year- 2016 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

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Jitendra Sah, son of Shambhu Sah, resident of Village- Nakardei, Dubaha,
P.S.- Adapur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Kabita Devi W/O Jitendra Sah, resident of Village- Nakardei Dubaha,
P.O.+ P.S. Adapur, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Ahmad Ali

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

6 03-07-2017 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Adapur P.S. Case No. 100 of 2016 for the offences punishable under sections 341, 342, 323, 379, 504, 498 (A), 506 and 34 of the I.P.C and section 34 of the Dowry Prohibition Act.

Perused the report of the learned Mediator. The dispute between the parties has been resolved through the process of mediation. The terms of settlement mutually agreed upon by them is attached with the report on the separate sheet.



As per the agreement, the petitioner shall make payment of Rs. 1,60,000/- to the opposite party no.2 in two installments within two months either in cash or Bank draft from the date of order of this Court. Accordingly, the petitioner is directed to make payment of Rs. 1,60,000/- to the opposite party no.2 in two equal installments within two months either in cash or Bank draft and as per terms of agreement the parties will act thereafter. The first installment shall be paid by the petitioner before acceptance of the bail bond. Both parties will file proper petition for withdrawal of the cases lodged by them against each other and further both will file a petition seeking divorce under section 13 (B) of the Hindu Marriage Act which shall be disposed of in accordance with law.

In the light of the settlement arrived at between the parties, the learned counsel for the petitioner seeks privilege of pre-arrest bail to the petitioner to which the learned counsel for the opposite party no.2 has got no objection.

Under the circumstances, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. S.D.J.M.



Raxaul at Motihari in connection with above mentioned case,
subject to the conditions as laid down in section 438 (2) of the
Cr.P.C.

(Jitendra Mohan Sharma, J)

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