

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6337 of 2017

Arising Out of PS.Case No. -235 Year- 2016 Thana -CIVIL LINE District- GAYA

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Md. Sehal Khan Abid, Son of Md. Sanaullah Khan Abid, Resident of Mohalla- Nawab Colony, Maulanachak Road, P.S. Habibpur, District Bhagalpur, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nushrat Khanam, Wife of Md. Sehal Khan Abid, Daughter of Dr. Shamim Ahmed, A/P Residing at Kalpana Rest House Compound, Shri Krishna Road, P.S.- Civil Lines, District- Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Sudha Chandra, Advocate.

For the Opposite Party/s : Mr. Sri Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

5 04-09-2017 Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Civil Lines P.S. Case No. 235 of 2016, registered under Sections 498A and 341/34 of the Indian Penal Code.

The accusation is of torturing the complainant-opposite party no. 2 by her husband and in-laws due to non-fulfillment of demand of dowry and also to remove from her matrimonial house.

Learned counsel for the opposite party no. 2 submits that the dispute in between the petitioner and the opposite party no. 2, who are husband and wife, has been settled out side of court with



condition that petitioner will pay Rs.20,00,000/- (Rupees Twenty Lacs) lump sum through cheque or demand draft for maintenance of complainant-opposite party no. 2 and her child within nine months and the complainant-opposite party no.2 will not claim in future as maintenance and both parties will lead their separate life independently.

Having regard to the facts and circumstances of the case and the dispute in between the petitioner and the complainant-opposite party no. 2 has already been settled amicably and the complainant-opposite party no. 2 has no grievance in allowing the bail to the petitioner, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya, in connection with Civil Lines P.S. Case No. 235 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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