

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20634 of 2017

Arising Out of PS.Case No. -68 Year- 2015 Thana -MAHILA PS District- JEHANABAD

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1. Kundan Kumar Son of Late Vijay Prasad , Resident of Mohalla Surkhi
Mill Bairagi, P.S.- Delha, District- Gaya.

.... Petitioner

Versus

1. The State of Bihar.
2. Mamta Devi, D/o Madhusudan Prasad , Resident of Village- Tulsipur,
P.S.- Ghoshi, District- Jehanbad.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Paras Nath

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 12-10-2017 Heard the learned counsel for the petitioner, learned

counsel for the Opposite Party No.2 and learned counsel for the

State.

The petitioner is apprehending his arrest for the

offences instituted under Sections 341, 342, 323/498(A) of the

Indian Penal Code and Section 3/4 of D.P. Act.

The allegation against the petitioner is of committing

torture upon the victim due to non-fulfillment of the demand of

dowry.

It has been submitted on behalf of the petitioner that the

petitioner has got no criminal antecedent. There is no allegation of

tampering of witnesses alleged against the petitioner. The



petitioner has falsely been implicated in the present case. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of **Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.**

On behalf of the State and counsel for the Opposite Party No.2, it has been submitted that the dispute has been settled between the parties.

Vide order dated 09.08.2017, the matter was referred to the Mediation and reconciliation Centre, Patna High Court, Patna.

Following is the report submitted by the Mediator:-

“Both parties and both counsels are present. Both parties are agreed for one time settlement of Rs. 2, 50, 000/- (Rupees Two Lakh Fifty Thousand) and as Hon’ble Court has decided the petitioner will pay to the opposite party no.2 the said amount in any mode within period of six months”.

Considering the fact that the matter has been settled between the parties, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Tr.No.1567/2017, arising out of Jehanabad



(Mahila) P.S. Case No.68/2015 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jehanabad, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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