

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4367 of 2018

Arising Out of PS. Case No.-49 Year-2017 Thana- MAHILA P.S. District- Sheikhpura

Upendra Kumar Son of Brajnand Prasad @ Brij Nandan Prasad, Resident of Mohalla-Bakarganj, Imlital, P.S.-Gandhi Maidan, Dist.-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khusboo Kumari, village+P.O. Mahadev Nagar, P.S. Shekhpura, Distt. Shekhpura

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Kulanand Jha, Advocate
For the State	:	Mr. Yogendra Kr. Singh, APP
For opposite party No.2	:	Dr. Anjani Pd. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

10 17-07-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 406/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry.

A supplementary affidavit has been filed on behalf of the petitioner. Same be kept on the record.

Terms of settlement has been mentioned in paragraph 4 of the said affidavit, which is as follows :

“4. That it is respectfully submitted that in
accordance with the agreement dated 18.5.2018



both the parties (husband and wife) have agreed for one time settlement. As per the terms and conditions of the agreement the petitioner husband has paid Rs.7,00,000/- (Rupees Seven Lacs) by demand draft to the opposite party No.2 wife. The petitioner husband will also make fixed deposit of Rs.4,00,000/- in the name of his daughter Aradhya aged 4 years in the bank within six months for her expenses on education, marriage, health etc. The opposite party No.2 will withdraw all the cases (civil and criminal) which is pending at Civil Court, Sheikhpura.”

Considering the aforesaid facts that the matter has been settled between the parties, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail 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., Sheikhpura in connection with Mahila P.S. case No.49 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

U		T	
---	--	---	--

