

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59370 of 2018

Arising Out of PS. Case No.-147 Year-2018 Thana- ISHAKCHAK District- Bhagalpur

Md. Taha, S/o Late Md. Ali Imam Rahmani, R/o Mohalla- Uttar Tola, Barhai
Tola Barahpura, P.S.- Ishakchak, District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Md. Najmul Hodda, Advocate
For the Opposite Party/s	:	Mr. Amitesh Kumar, APP
For the Informant	:	Mr. Ranjan Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

7 13-12-2018

In this case, the petitioner is seeking anticipatory bail in connection with Ishakchak P.S. Case No.147 of 2018, registered for the offence under Sections 376 and 420 of the Indian Penal Code.

Today, the petitioner, namely, Md. Taha, and informant, namely, Saledin, are physically present before this Court and they have verbally made statement that they have entered into the *Nikah* in Phulwarisharif, Patna, and one *Kazi* has granted *Nikahnama* in proof of their entering into the marriage as husband and wife.

Whatever the disputes are lying with them be treated to have been settled on account of marriage between the parties and they have agreed that they do not want to pursue



their respective criminal cases in the Court below. In such circumstance, if this Court allows the proceeding to continue, it will be an abuse of process of law and none of the parties will gain anything from those proceeding.

Looking to the attending facts and circumstance of the case, Ishakchak P.S. Case No.147 of 2018 registered for the offence under Sections 376 and 420 of Indian Penal Code is quashed.

It has been informed that a contra criminal case vide Ishakchak P.S. Case No.148 of 2018 has also been lodged by the petitioner against Md. Jahid, cousin brother of the informant.

As the matter has amicably been settled between the parties by entering into the marriage, in such circumstance, Ishakchak P.S. Case No.148 of 2018 registered for the offence under Sections 384, 420 and 120B of the Indian Penal Code is also quashed.

It is expected that both the parties will maintain a good relationship and it is also expected from the petitioner, namely, Md. Taha, will keep his wife in a good manner, will not in any manner harass her physically or mentally. It is also expected from the informant, namely, Saledin, to live with her



husband peacefully and gently without indulging in any quarrel.

With the aforesaid observations and directions, this application stands disposed of.

(Shivaji Pandey, J.)

pawan/-

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

