

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2525 of 2018

Arising Out of PS.Case No. -737 Year- 2017 Thana -MADHEPURA District- MADHEPURA

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Gaurav Kumar, S/o Shailendra Kumar, R/o Village- Piparpatta, P.S.-
Madhepura (Bharrahi O.P.), District- Madhepura.

.... Petitioner

Versus

1. The State of Bihar.
2. Sarswati Devi W/o Gaurav Kumar, R/o Village- Piparpatta, P.S.-
Bharrahi O.P., District- Madhepura, at present D/o Amol Prasad Yadav,
R/o Ramni, P.S.- Murliganj, District- Madhepura.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate.

For the State : Mr. Amit Kumar Rakesh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

- 3 09-02-2018 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party no.
2.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 341, 323, 307, 354, 379,
498(A)/34 of the IPC and ¾ of the D.P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfilment of demand of dowry.

A joint petition has been filed on behalf of the
parties. The same may be kept on the record.



It has been stated in joint petition that the matter has been settled between the parties. The terms and conditions of settlement have been incorporated in paragraph nos. 8 and 9 of the joint petition which are as follows:-

“8. That the Opposite Party No. 2 will withdraw the aforesaid case i.e Madhepura (Bharrahi) Police Station Case No. 737 of 2017 pending in the Court of Learned Chief Judicial Magistrate, Madhepura, and the Matrimonial Case shall be filed by the petitioner against Opposite Party No. 2 before Principal Judge, Family Court, Madhepura, in which Opposite Party No. 2, will file her consent for divorce by mutual consent and the Opposite Party No. 2 will co-operate in getting divorce within three months.

9. That the petitioner will pay Rs. One Lac within one month or at the time of appearing before the Magistrate for bail and at that time he will be allowed on provisional bail and thereafter he will pay remaining amount of Rs. Three Lacs within three months by Demand Draft and then or divorce whatever is earlier, and after Full payment of Rs. 4 Lacs the provisional bail of the petitioner will be confirmed.”

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned C.J.M. Madhepura, in connection with Madhepura (Bharrahi O.P.) P.S. Case No. 737 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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