

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15699 of 2019

Arising Out of PS. Case No.-306 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Md. Mahmud Kuraishi @ Mahmood Quaraishi, Son of Jahangir Kuraishi,
Resident of Mohalla - Chhawani, P.S.- Bettiah Town, District - West
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rozi Khatoon Wife of Md. Mahmud Kuraishi Resident of Mohalla -
Chhawani, P.S.- Bettiah Town, District - West Champaran, At present,
Daughter of Alamgir Kuraishi, Resident of Mohalla - Chikpatti, Ward No.9,
P.S.- Motihari Town, District - East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 02-09-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. C- 306 of 2018,

disclosing offences under Section 498A of Indian Penal Code

and Section 3/4 of Dowry Prohibition Act.

Case is under Section 498-A of the IPC.

On appearance of the opposite party no. 2, the matter
was referred to the Patna High Court Mediation &
Reconciliation Center, vide order dated 14.03.2019. The report
of Mediator is available on record at Flag “C” which disclosed
that the dispute between the parties has been resolved and the
terms of settlement mutually agreed upon them, which is



attached with the mediator's report. The Mediator's report disclosed that both the parties have decided to live separately and petitioner has also paid Rs.1,35,000/- as one time settlement by bank draft no. UNM 943038, which is accepted by the opposite party no.2. They have also agreed to have decree for divorce before the competent court and they have also agreed to withdraw the cases filed against each other.

Learned counsel for the petitioner and learned counsel for the opposite party no.2 have admitted the above facts.

Having heard both sides, considering the above facts and circumstances, as stated above, the petitioner, above named, surrender before the learned court below within a period of two weeks from the date of receipt of certified copy of the order, on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Sub Divisional Judicial Magistrate, Bettiah, West Champaran, in connection with Complaint Case No. C- 306 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

As the settlement has been reached between the parties, as such, it is excepted that both the parties shall move



for withdrawal of the cases pending against each other.

Let a copy of Mediator's report along with terms of agreement be sent to the court concerned at once, for needful.

With the aforesaid observations, this application is allowed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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