

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19431 of 2019

Arising Out of PS. Case No.-591 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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SAMIULLAH KHAN @ MOHAMMAD SAMIULLAH KHAN Son of Late
Hakik Khan Resident of Village - Meghwal, Mathiya, Ward No - 6 , P.S.-
Ramnagar, Distt - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Jarina Khatoon Wife of Samiullah Khan @ Mohammad Samiullah Khan
daughter Saidullah Khan, Resident of Village - Meghwal Mathiya, P.S.-
Ramnagar, Distt - West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1
For the Opposite Party/s : Mr.Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 24-09-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection
with Tr. No.3220 of 2018 arising out of Complaint Case No.591
of 2018 registered for offences punishable under Sections 323,
498A, 494 and 504 of the Indian Penal Code.

Allegation against the petitioner is of demand of Rs.08 lac
from the complainant and for non-fulfillment of the demand
subjecting her to cruelty.

Submission of the learned counsel for the petitioner is
that he is ready to keep her with dignity and care but the
O.P.no.2 is not ready to reside with the petitioner. It has also



been submitted that the on appearance of the O.P.no.2, the matter was referred to the Mediation Centre but due to exorbitant demand of the O.P.no.2 for one time settlement, mediation failed.

Heard learned A.P.P. and the learned counsel for the O.P.no.2 who has submitted that O.P.no.2 is ready to settle the dispute on the basis of one time settlement and she is not ready to reside with the petitioner..

Having heard both sides and perused the meditation report. In view of the facts and circumstances, as stated above, as well as the fact that the petitioner is still ready to keep her , this application is allowed and the provisional bail granted to the petitioner vide order dated 01.04.2019 is confirmed.

(Vinod Kumar Sinha, J)

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