

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74480 of 2018

Arising Out of PS. Case No.-699 Year-2017 Thana- COMPLAINT CASE District- Supaul

Md. Anjar Alam @ Anjar Alam

... .. Petitioner/s

Versus

State Of Bihar and Anr

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha
For the Opposite Party/s : Mr.Sri Bharat Lal

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

7 10-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner, being the husband of the complainant, is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The basic accusation against the petitioner is of torturing the complainant for non-fulfillment of dowry demand of a Bolero vehicle. The marriage between the petitioner and the complainant is an admitted fact.

This Court vide order dated 10.01.2019 on the joint prayer of the parties referred the matter to the Mediation and Conciliation Centre of the Patna High Court, but the report of



the Mediator dated 19.02.2019 kept at 'Flag-A' reflects that the issue could not be resolved through the process of mediation between the parties. However, it is submitted by learned counsel for the petitioner that both sides agree to part ways on payment of one time settlement amount of Rs.2,50,000/- (Rupees Two Lacs Fifty Thousand). The contention of learned counsel for the petitioner has not been controverted by learned counsel for the complainant.

The complainant and the petitioner are present in the Court.

In pursuance to the said agreement, learned counsel for the petitioner is handing over a cheque of Rs.1,25,000/- (Rupees One Lac Twenty Five Thousand) to the learned counsel for the complainant to be handed over to the complainant who is present in the Court. Learned counsel for the petitioner further undertakes to submit a cheque of remaining amount, as agreed between the parties i.e. Rs.1,25,000/- (Rupees One Lac Twenty Five Thousand) before the learned Court below on affidavit within a period of four weeks.

Learned counsel for the complainant is expected to make endorsement of receiving of the cheque of Rs.1,25,000/- (Rupees One Lac Twenty Five Thousand).



Considering the present stand of the parties of parting ways on payment of one time settlement amount, let the above named petitioner be released on anticipatory bail provisionally for six weeks, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Supaul, in connection with Complaint Case No.699C of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below on submission of cheque of remaining amount of Rs.1,25,000/- (Rupees One Lac Twenty Five Thousand) and on encashment of both the cheques.

(Dinesh Kumar Singh, J)

Ashwini/-

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