

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76947 of 2018

Arising Out of PS. Case No.-491 Year-2016 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Sabir Ahmad @ Md. Shabbir Ahmad son of Shahabuddin @ Saheb @ Saheb Hussain Shah, Resident of Village- Deurwa Devraj, Police Station- Lauriya, District- West Champaran.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Rokaiya Naaz, wife of Sabir Ahmad @ Md. Shabbir Ahmad, daughter of Sheikh Mohammad Hasnain, Resident of Village- Deurwa Devraj, Police Station- Lauriya, At present resident of Mastan Tola, Bagaha, Police Station- Bagaha, District- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Zainul Abedin
For the Opposite Party/s : Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 21-10-2019 Petitioner seeks bail in anticipation of his arrest in connection with Trial No. 6186 of 2016, arising out of Complaint Case No. C 491 of 2016 instituted for the offences punishable under Sections 498A, 323 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

As per complaint petition there is allegation of demand of Rs.2 lac against the petitioner and for that he subjected the complainant opposite party No.2 to cruelty and ousted her from the house.

Submission of learned counsel for the petitioner is that now the matter has been compromised and she is residing



with him.

However, from perusal of the record it appears that earlier on appearance of opposite party No.2 the matter was referred to the Mediation Centre and the report of Mediator at flag 'P' disclosed that mediation failed.

Heard learned APP also.

Having heard both sides and in view of submission of learned counsel for the petitioner, this application is disposed of with direction to the petitioner to appear before the court below along with the complainant opposite party No.2 on 14.11.2019 and on their appearance learned court below shall verify the aforesaid submission that the matter has been compromised between the parties and if it is so learned court below shall confirm the provisional bail granted to the petitioner by order dated 21.1.2019 passed by co-ordinate Bench of this Court, otherwise petitioner has to file an application for regular bail, which will be considered on its own merit.

(Vinod Kumar Sinha, J)

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