

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31363 of 2019**

Arising Out of PS. Case No.-1769 Year-2018 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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KAUSHAR ALI @ MD. KAUSHAR ANSARI Son of Abdul Gaffur Resident
of Village - Chakvyas, P.S.- Goraul, District - Vaishali.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Shabnam Khatoon Wife of Kaushar Ali D/o Md. Tausheeb, Resident of
Village - Chintampur, P.S.- Vaishali (O.P. Belsar), District - Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 07-11-2019 This application, for grant of anticipatory bail, arises out
of Complaint Case No. 1769 of 2018, disclosing offences under
Section 498A/ 34 and 494 of the Indian Penal Code and Section 3/4
of the Dowry Prohibition Act.

Petitioner happens to be husband of the complainant and
allegation against him is of subjecting the complainant to torture for
non fulfilment of demand of dowry.

It appears that on appearance of both the parties, earlier
matter was referred to Patna High Court Mediation and Conciliation
Centre and from the report of learned Mediator, which has been kept on
record, it appears that the dispute between the parties has been
resolved on one time payment of Rs. One Lakh by the petitioner to
the complainant, out of which, demand draft of Rs. Fifty Thousand



has already been handed over to the complainant and Rs. Fifty Thousand will be paid within five weeks, thereafter and once total amount is deposited, it is agreed that parties shall withdraw their cases.

Learned counsel for the petitioner and learned counsel for the complainant has admitted the aforesaid fact.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, petitioner is directed to appear before the court below on 11.12.2019 and on that day, opposite party no. 2 shall also remain present and if petitioner shows document showing payment of Rs. 50,000/- made either by bank draft or handed over to complainant, the court below shall confirm the provisional bail granted to the petitioner vide order dated 06.08.2019, otherwise, learned court below is free to pass any order as he deems fit and proper.

Let a copy of mediator's report as well as memorandum of agreement be sent to the concerned court below along with this order.

This application is accordingly disposed of.

(Vinod Kumar Sinha, J)

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