

Arising Out of PS. Case No.-49 Year-2018 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

... .. Petitioner/s

Versus

- Opposite Party/s

For the Petitioner/s : Mr.Jai Shanker Prasad
For the Opposite Party/s : Mr.Gulnar Begum

11 21-11-2019 This application, for grant of anticipatory bail,
arises out of Complaint Case No. 49(C) of 2018, disclosing
offences under Sections 498A 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 the petitioner is of subjecting the complainant to cruelty and torture with respect to non fulfilment of demand of dowry.

Learned counsel for the petitioner has drawn my attention towards the order dated 13.09.2019, from which, it appears that both the parties are willing to get the marriage dissolved by way of one time settlement on payment of Rs.



1,10,000/- by the petitioner to the complainant. It has been submitted by learned counsel for the petitioner that out of the said Rs. 1,10,000/-, he has already paid Rs. 90,000/- and only Rs. 20,000/- has remained to be paid, which has also not been controverted by learned counsel appearing on behalf of complainant – opposite party no. 2 and petitioner undertakes to pay the remaining amount.

Both the parties have appeared and they have admitted the factum of settlement of dispute between the parties.

Heard learned A.P.P. also.

In such view of the matter, let petitioner surrender in the court below on 06.01.2020 along with a bank draft of Rs. 20,000/-, payable in the name of opposite party no. 2 and on which, date opposite party no. 2 shall also remain present in the court and the aforesaid bank draft of Rs. 20,000/- will be handed over by the petitioner to the complainant before the court and the court below shall also mentioned the same in his order sheet and once the above amount is paid, the court below shall release the petitioner on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of like amount each to his own satisfaction in connection with Complaint Case No. 49(C) of 2018 subject to the condition as



laid down under Section 438(2) Cr.P.C.

It is also made clear that if on the above mentioned date, the petitioner fails to surrender or submit the bank draft, this application shall stand dismissed without further reference to any Bench and no further indulgence will be given to the petitioner.

This application is accordingly disposed of.

(Vinod Kumar Sinha, J)

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