

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57240 of 2018

Arising Out of PS. Case No.-213 Year-2018 Thana- SUGAULI District- East Champaran

Kaifi Khan, Son of Shaukat Khan, Resident of Village- Nakardei, Bathan
Tola, P.S.- Sugauli, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 04-01-2019 Heard learned counsels for the petitioner, informant
and the learned APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,323,498A,504 and 506/34 of the IPC and Sections 3 and 4 of Dowry Prohibition Act.

The prosecution case as per the written report of Shabeela Khatoon dated 1.6.2018 submitted to the SHO, Sugauli Police Station is to the effect that the informant was married with the petitioner about two years prior to the lodging of the case. Subsequent to the marriage, there was further dowry demand of washing machine, fridge and Rupees Three Lacs by the petitioner and other in-law family members and due to non-fulfillment of the same, torture was inflicted upon the informant.



The informant was blessed with a male child.

It is jointly submitted by learned counsels for the parties that matter was referred to mediation and during mediation, the issue has been reconciled and both the sides are ready to reside together.

Learned counsel for the informant, however, claims that a Bench of this Court vide order dated 29.11.2018 directed the petitioner to pay Rupees Ten Thousand since the informant is carrying an advanced stage of pregnancy. Learned counsel for the petitioner submits that the petitioner will make such payment within a period of four weeks.

Considering the fact that the issue has been reconciled between the parties, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Motihari, East Champaran in connection with Sugauli P.S. Case No. 213 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner will be accepted by the learned court below on filing proof of payment of Rupees Ten Thousand to the informant and an affidavit to the effect that



the petitioner will comply the terms of memorandum of agreement.

Let a copy of memorandum of agreement be also sent to the learned court below.

(Dinesh Kumar Singh, J)

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