

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46038 of 2019

Arising Out of PS. Case No.-188 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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ALI AJAM @ ALI AZAM Son of Farooque Azam @ Sheikh Pharuk Resident
of Village- Jhitkahiya, P.S.- (Lakhaura) Muffasil, District- East Champaran.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 31-07-2019 Heard the learned counsel for the petitioner, informant
and the learned A.P.P. for the State.

The petitioner seeks bail in Muffasil P.S. Case No.
188/2019, instituted for offence under Section(s) 341, 323,
498A, 504/34 of the Indian Penal Code read with Section 3/4 of
D.P. Act.

It is alleged in the written report that petitioner was
married with informant about two years ago as per Muslim
Customs. After marriage, informant was tortured in her *Sasural*
for non-fulfillment of demand of dowry as alleged.

Learned counsel for petitioner has submitted that
informant has always put pressure on petitioner for family
partition. When petitioner was not ready for the same, she
lodged the instant case. It is further submitted that divorce case



has been filed by petitioner before the learned Principal Judge, Family Court, Motihari. Petitioner is ready for one time settlement. There is general and omnibus allegation against the petitioner. Petitioner wants one time settlement.

In such circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Chief Judicial Magistrate, Motihari, East Champaran**, in connection with **Muffasil P.S. Case No. 188/2019**, subject to the conditions that both the bailors shall be the close relative of the petitioner.

The petitioner will file undertaking at the time of filing bail bond that he is ready for one time settlement with informant and he will appear in the Maintenance Case filed by informant.

The Court below shall take initiative for one time settlement between the parties by sending the matter in Mediation Centre. The Mediator shall submit report within three months in the Court below.

In the event the mediation fail on account of non-cooperation of petitioner, the informant will be at liberty to file



application in the court below for cancellation of bail bond of the petitioner.

Learned counsel for informant has submitted that petitioner may go to foreign country after being enlarged on bail.

The petitioner is directed not to leave the country without taking permission of the court below during pendency of case.

(Sanjay Priya, J)

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