

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54406 of 2019**

Arising Out of PS. Case No.-2581 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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PRINCE PANDEY @ PRINCE KUMAR PANDEY Son of Mandeo Pandey
Resident of Village- Bucheya, P.S.- Shidhwaliya, District- Gopalganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rina Devi W/O Prince Pandey At Present resident of Village- Sisawa, P.S.-
Malahi, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

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

4 20-11-2019 This application, for grant of anticipatory bail,

arises out of Complaint Case No. C2581/2017, disclosing

offences under Sections 498A of the Indian Penal Code and

Section 3/ 4 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 .

It appears that on appearance of opposite party no. 2,

the matter was referred to Patna High Court Mediation and

Conciliation Center, Patna and the report of learned Mediator is

available on record, from which, it appears that the mediation



between the parties failed. However, both the parties have admitted that earlier an agreement was reached between the parties for one time settlement on payment of Rs. 3.50 Lac and on return of the articles such as Palang, Trunk and Almirah by the petitioner to the complainant. However, the said agreement also failed as the petitioner was ready to pay only Rs. Fifty Thousand at that time.

Submission of learned counsel for the petitioner is that he is ready to pay Rs. 3,50,000/- (Rs. Three Lakh Fifty Thousand), but on installment if some reasonable time is allowed and he is also ready to return the articles such as Palang, Trunk and Almirah to the complainant.

Heard learned A.P.P. as well as learned counsel for the complainant. Learned counsel for the complainant agrees to the offer given by the petitioner.

In such view of the matter, complainant is directed to supply her bank account to the petitioner within a period of two weeks and petitioner is directed to surrender in the court below on 16.12.2019 along with a bank draft of Rs. 50,000/- drawn in favour of complainant and the court below after verifying the same, extend the provisional bail already granted to him vide order dated 02.09.2019 for further period of three months,



during that period, the petitioner has to pay the remaining amount of Rs. 3,00,000/- (Rs. Three Lakhs) in three equal installments of Rs. 1,00,000/- (Rs. One Lakh) through bank draft payable in the name of complainant and in that period, he will also return the articles such as Palang, Trunk and Almirah and once the entire amount of Rs. 3,50,000/- is deposited and the articles stated above returned to the complainant, the court below shall confirm the provisional bail of the petitioner, otherwise, he is free to pass any order as he deems fit and proper including cancellation of provisional bail of the petitioner.

It is made clear that if any application is filed by the complainant for withdrawal of the aforesaid amount, the court below shall release the same in favour of complainant.

It is expected that once the entire amount of Rs. 3,50,000/- (Rs. Three Lakh Fifty Thousand) and articles are returned, the complainant shall not pursue the case.

(Vinod Kumar Sinha, J)

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