

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67549 of 2018

Arising Out of PS. Case No.-7 Year-2018 Thana- MAHILA P.S. District- Madhubani

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Giyasuddin @ Guddu @ Gyasuddin, Son of Md. Gulam Mustafa Resident of
Village- Barail Khariya Tol, P.S. Babubarhi, Distt. Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Rehana Khatoon Wife of Giyasuddin @ Gudu , D/o Md. Iliyas Resident of
Village- Rijogiya Tola, P.S. Lauka, Distt. Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Sri Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 22-01-2019 Heard learned counsel for the petitioner, learned APP

for the State and learned counsel for the informant-opposite

party no.2.

The petitioner, being the husband of the informant, is
apprehending his arrest in a case registered for the offences
punishable under Sections 341, 323, 498A, 379/34 of the Indian
Penal Code and Sections 3/4 of Dowry Prohibition Act.

The prosecution case as per the written report of
Rehana Khatoon submitted to the Station House Officer of
Madhubani Mahila P.S. is to the effect that the informant's
marriage with the petitioner was performed on 05.06.2016. For
four months after the marriage, the life of the informant was
cordial but thereafter, further dowry demand of a motorcycle



and Rs. One lac were made and for non-fulfillment of the same, torture was inflicted upon the informant by all the accused persons including the petitioner. Attempt was also made on the life of the informant by putting her on fire.

With the consent of the parties vide order dated 06.12.2018, the matter was referred to the Mediation Centre by a co-ordinate Bench of this Court. The report of the Mediator dated 18.01.2019 kept at Flag 'P' reflects that the issue has been reconciled and both sides have decided to reside together.

It is jointly submitted that the informant is residing with the petitioner since last five days. However, learned counsel for the informant is a bit apprehensive due to the past conduct of the petitioner.

Keeping in view the fact that the issue has been resolved between the parties, as gets reflected from the report of the Mediator, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Madhubani in connection with Madhubani Mahila P.S. Case No. 07 of 2018,



subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, it is made clear that if the petitioner violates terms of the agreement arrived at during mediation, the informant will have liberty to file appropriate application for cancellation of bail.

(Dinesh Kumar Singh, J)

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