

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12777 of 2020**

Arising Out of PS. Case No.-263 Year-2019 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

MD. EHTESAM @ MD. EHTESAN S/O Md. Ashique Resident of village -
Mehsaul, P.S. - Runnisaidpur, Dist. - Sitamarhi.

... .. Petitioner.

Versus

1. The State of Bihar.
2. Afsana Khatoon W/o Md. Ehtesam @ Md. Ehtesan Resident of village -
Mehsaul, P.S. - Runnisaidpur, Dist. - Sitamarhi, At Present address D/O
Fahim Sah, Village - Mehraul, P.S. - Runnisaidpur, District - Sitamarhi.

... .. Opposite Parties.

Appearance :

For the Petitioner	:	Mr. Sanjay Kumar, Advocate.
For the State	:	Mr. Ajay Kumar No.2, A.P.P.
For the Opposite Party No.2:	:	Mr. Ravi Ranjan, Advocate.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

- 3 29-09-2020 Heard learned counsel for the petitioner and the

learned A.P.P. for the State as also the learned counsel for the

opposite party no.2, through Video Conferencing.

The petitioner apprehends his arrest in connection with
Complain Case No.263 of 2019 registered under Sections 323,
379, 498(A) and 504 of the Indian Penal Code besides Sections
3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that there is
still chance of settlement of the dispute in between the petitioner
and the opposite party no.2, who are husband and wife
respectively.



Learned counsel for the opposite party no.2 also submits that the opposite party no.2, who is the wife of the petitioner, also wants to settle the dispute amicably with the petitioner and the petitioner may be granted the privilege of pre-arrest bail provisionally with a direction to the court below to refer the matter before the District Mediation Centre, Sitamarhi, for settlement of the dispute in between the petitioner and the opposite party no.2.

Having considered the facts and the circumstances of the case and the submissions of the learned counsel for the petitioner and the learned counsel for the opposite party no.2, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on provisional pre-arrest bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Sadar, Sitamarhi, in connection with Complain Case No.263 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C., with a direction to the Sub Divisional Judicial Magistrate, Sadar, Sitamarhi, to refer the matter for settlement of the dispute in between the petitioner and the opposite party no.2 before the District Mediation Centre,



Sitamarhi, immediately after receipt/production of a copy of this order with a direction to the District Mediation Centre, Sitamarhi, to submit its report within six months thereafter.

It is made clear that if the dispute in between the petitioner and the opposite party no.2 is settled amicably before the District Mediation Centre, Sitamarhi, then the court below shall confirm the provisional pre-arrest bail of the petitioner and if the dispute is not settled in between them at the end of the petitioner, the court below shall cancel the provisional pre-arrest bail of the petitioner. If the dispute is not settled at the end of the opposite party no.2, then also, the court below shall confirm the provisional pre-arrest bail of the petitioner.

Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J)

P.S./-

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