

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31181 of 2020

Arising Out of PS. Case No.-12 Year-2018 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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SHAHJAD KHAN Son of Late Jamil Khan Resident of Village - Hirdaychak,
P.S.- Kaler, District - Arwal.

... .. Petitioner

Versus

1. The State of Bihar
2. Apashana Khatoon Wife of Shahjad Khan Resident of Village - Taraw, P.S.-
Nasariganj, District - Rohtas.

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr.Raghunandan Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Ramchandra Singh, A.P.P.
For the O.P. No. 2	:	Mr. Babu Nandan Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 15-03-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within three

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner, learned
counsel for the opposite party no. 2 and Mr. Ramchandra Singh,
learned APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Complaint Case No. 12 of 2018
registered for the offences punishable under Sections 406,
498(A) of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act.

Learned counsel for the petitioner submits that the



petitioner is alleged to have committed torture upon the informant due to non fulfillment of demand of dowry.

Learned counsel for the petitioner as well as learned counsel representing the opposite party no. 2 jointly submit that the matter may be referred to the Mediation Centre attached to the learned court below for amicable resolution of the disputes between the parties.

Learned counsel for the petitioner has submitted at the Bar on instruction that the petitioner is ready to pay Rs. 2000/- per month to the opposite party no. 2 for the present, subject to any other order passed by the competent court in an appropriate proceeding.

Learned APP is present, however, in the nature of the disputes he has not much role to play in this case. Learned counsel representing opposite party no. 2 accepts the offer of learned counsel for the petitioner.

Having regard to the facts and circumstances of the case wherein learned counsel for the petitioner as well as learned counsel for the opposite party no. 2 agree that the application may be disposed of giving liberty to the parties to seek amicable resolution of their disputes before the Mediation Centre attached to the learned court below and further that



learned counsel for the petitioner has agreed at the Bar on instruction which has been accepted by learned counsel for the opposite party no. 2 that till further order which may be passed by a court of competent jurisdiction, the petitioner will continue to pay rupees two thousand per month to the opposite party no. 2, let the petitioner above-named, in the event of his arrest or surrender within a period of four weeks from today in connection with complaint Case No. 12 of 2018 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bikramganj, Rohtas at Sasaram, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India



without the previous permission of the Court.

And further condition that in terms of his own undertaking given before this Court the petitioner shall continue paying Rs. 2000/- (two thousand) per month to the opposite party no.2, subject to any order which may be passed by a competent court in an appropriate proceeding. Failure to abide by this condition would result in cancellation of bail bond of the petitioner.

This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

