

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63550 of 2019

Arising Out of PS. Case No.-57 Year-2018 Thana- MAHILA P.S. District- Muzaffarpur

MD. KASIF RAZA Son of Abdul Halim Resident of Village-Khanpur, P.S-
Hathauri, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Umme Kulsum, D/o Abdul Rashid, resident of Mohalla Hazrat Ali Lane
Ghaffor Basti, P.S. Brahampura, District Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Md. Anisur Rahman, Advocate
For the State	:	Mr.Amitesh Kumar, APP
For opposite party No.2	:	Mr. Bimlesh Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 02-09-2021 Heard learned counsel for the petitioner, learned APP

for the State and learned counsel for the opposite party No.2

through virtual mode.

The petitioner is apprehending his arrest in connection
with Muzaffarpur Mahila P.S. case No.57/2018 registered under
Sections 323, 354(B), 498(A), 504, 506/34 of the Indian Penal
Code and Sections 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing
torture and assault upon the victim due to non-fulfilment of
demand of dowry.

By order dated 18.10.2019, the matter was referred to
the Mediation & Conciliation Centre of the Patna High Court



for resolving the issues between the parties. From the order dated 05.03.2020, it appears that the Counsel for the opposite party No.2 had raised a question that the parents of the opposite party No.2 were not allowed to meet the opposite party No.2 as the wife (opposite party No.2) was residing with her in-laws. Hence, a Co-ordinate Bench of this Court directed physical presence of the parties.

Yesterday, the counsel for the petitioner had produced the opposite party No.2 in virtual mode. On the direction of this Court, the counsel for the opposite party No.2 had gone and met the opposite party No.2 personally at the residence of the counsel for the petitioner.

It has been submitted on behalf of the counsel for the opposite party No.2 Mr. Bimlesh Kumar Pandey that after meeting with the opposite party No.2, who is residing with her in-laws, he is satisfied that she is being kept properly and at this point of time it is not appropriate to interfere with the marital life.

Considering the submissions made on behalf of the counsel for the petitioner and the counsel for the opposite party No.2, it is evident that the reconciliation has been made between the parties.



In the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned A.C.J.M. East, Muzaffarpur in connection with Muzaffarpur Mahila P.S. case No.57/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

The parties will be at liberty to make an application before the appropriate court for dropping the prosecution, irrespective of the fact that the offences are non-compoundable, taking into account the reconciliation has been arrived between the parties.

(Sudhir Singh, J)

Narendra/-

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