

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42689 of 2019

Arising Out of PS. Case No.-1453 Year-2015 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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ABULAISH SAI @ ABULAISH DEWAN @ ABDULAISH SAI S/O
Murtaza Sai Resident of Village- Bishunpurwa Bargajawa, P.S.- Shikarpur,
District- West Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Jaibun Nesha W/o Abulaish Sai @ Abulaish Dewan @ Abduliash Sai, D/O
Raiful Sah Resident of Village- Rajpur, P.S.- Shikarpur, District- West
Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr.Md. Iftekhhar Mahmood

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

13 10-10-2022 Heard the learned counsel for the petitioner as well as
the learned counsel for the informant.

The petitioner apprehends his arrest in connection with
Complaint Case No. 1453-C/2015 registered for offence
punishable under sections 498A of the Indian Penal Code and
section 4 of the Dowry Prohibition Act

It is a case of matrimonial dispute.

As per allegation, the complainant was married to the
petitioner in the year 2007. The couple were leading happy
conjugal life for some years, but thereafter, the accused persons
demanded Rs.50,000/- as dowry and they tortured her for non-



fulfillment of the demand.

The matter was referred to the District Mediation Centre, West Champaran, Bettiah. The report is annexed with the record, which shows that both the parties have compromised the case. As per terms and conditions of the compromise, the petitioner has to purchase a piece of land for residential purpose in the name of his two minor sons born out of wedlock of the complainant. The description of the land has been mentioned in paragraph-A of the compromise. The further condition is that the petitioner shall hand over the house mentioned in paragraph-B after constructing a kitchen, toilet, wash-room and varamda and also provide amenities of drinking water. The petitioner shall pay Rs.3,000/- per month as maintenance to the complainant and his two sons in 1st week of every month. Paragraph-D of the compromise shows that elder son of the petitioner is residing with him and the entire expenses incurred on him is on the petitioner. The petitioner shall provide the expenses for education of his daughter, Jawahara Khatoon aged about 12 years. Both the parties have agreed to withdraw the cases pending against each other.

Considering the fact th at the matter has amicably been settled between the parties, let the petitioner above-named, in



the event of his arrest or surrender, within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Complaint Case No.1453-C/2015, subject to condition as laid down under section 438(2) Cr. P.C.

(Nawneet Kumar Pandey, J)

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