

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20368 of 2023

Arising Out of PS. Case No.-929 Year-2022 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

MD. SADDAM ANSARI @ SADDAM S/O MD. HAKIM Resident of Ward
No.- 11, Bhandarsom, P.S.- Manigachhi, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saira Bano @ Shayara Bano @ Saro Bano D/O Md. Aenullah Ansari
Resident of village- Balua, P.S.- Manigachhi, District- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Shahnawaz Ali, Advocate
For the Informant	:	Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s	:	Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 09-10-2023 Heard Mr. Md. Shahnawaz Ali, learned counsel for the

petitioner, Mr. Nilendru Kumar Choudhary, learned counsel
appearing on behalf of the Informant and Mr. Madan Kumar,
learned APP for the State.

2. The petitioner is apprehending his arrest
connection with Complaint Case No. 929 of 2022, dated
03.08.2022 registered for the offences punishable under Sections
498A, 494, 323, 341, 307, 386, 379 of the Indian Penal Code.

3. Allegation against the petitioner is of demand of
dowry and torture mentally and physically for non-fulfillment of
demand of dowry.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that the petitioner is ready to keep his wife and children with full dignity and honour.

5. Vide order dated 23.08.2023, the present matter was referred to the Mediation & Conciliation Centre, Patna High Court for settlement of dispute between the parties. Report of the learned Mediator dated 05.10.2023 reveals that dispute between the parties has been resolved through the process of mediation and the terms of settlement mutually agreed upon the parties and they have signed the terms and conditions of the settlement.

6. Learned counsel appearing on behalf of the Informant has also supported the contention of the petitioner and submits that the matter has been settled between the parties.

7. Considering the aforesaid facts and circumstances of the case, and the report of the learned Mediator, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of



the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Darbhanga in connection with Complaint Case No. 929 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

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(Rajesh Kumar Verma, J)

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