

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1956 of 2022**

Arising Out of PS. Case No.-48 Year-2021 Thana- BARARI District- Katihar

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1. CHHOTU KUMAR SHARMA S/o Uday Chand Sharma Resident of Village- Dwalakh, P.S.- Bheja, District- Madhubani.
  2. Uday Chand Sharma @ Uday Chand Badhai S/o Late Khublal Badhai Resident of Village- Dwalakh, P.S.- Bheja, District- Madhubani.
  3. Kalabati Devi W/o Uday Chand Badhai Resident of Village- Dwalakh, P.S.- Bheja, District- Madhubani.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Rina Kumari D/o Ratan Lal Das Resident of Village and P.O. Laxmipur, P.S.- Barari, District- Katihar.

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.Baleshwar Kamat  
For the Respondent/s : Mr.Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

5      21-06-2023                      Heard learned counsel for the appellants and learned Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as 'the SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 20.04.2022, passed by learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, Katihar in connection with Barari P.S. Case No.48 of 2021, registered under Sections 323, 341, 498(A), 504 and 34 of the Indian Penal Code, Sections 3/4 of the Dowry Prohibition Act as well as Sections 3(i)(r)(s)(5), 3(2)(va) of the SC/ST Act.

The petitioners are said to have tortured the complainant physically and mentally for non-fulfillment of demand of



additional dowry.

By order dated 24.01.2023, the matter was referred to the Patna High Court Mediation and Conciliation Centre.

Perused the Mediator's Report dated 24.05.2023. The learned Mediator has reported that the dispute between the parties has been resolved through the process of mediation. The terms of settlement mutually agreed upon by them is attached with the mediation report.

Taking into consideration the report of the learned Mediator, let appellants, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be released on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned 1<sup>st</sup> A.D.J.-cum-Special Judge, Katihar in connection with Barari P.S. Case No.48 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Accordingly, the impugned order is set aside and this appeal is allowed.

**(Anjani Kumar Sharan, J)**

S.KUMAR/-

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