

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61719 of 2023

Arising Out of PS. Case No.-49 Year-2023 Thana- DHAKA District- East Champaran

Krishna Kumar Son Of Sunil Sah Resident Of Village -CHAINPUR Dhaka,
Ps- Dhaka, Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Subha Devi Wife Of Krishna Kumar Resident Of Village -CHAINPUR Dhaka, Ps- Dhaka, Dist- East Champaran At Present D/O- Deenanath Sah, Resident Of Village- Athmohan, Ps- Jharokhar, Dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar, Adv.
For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 13-12-2023 Heard learned counsel for the petitioner, learned counsel for the opposite party No.2 and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Dhaka P.S. Case No.49 of 2023 dated 10.02.2023, instituted under Sections 498A, 323,324, 307, 504 read with Section 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. By order dated 16.10.2023, with consent of parties, this matter was referred to the Patna High Court Mediation Center to resolve the dispute between the parties. The learned Mediator has submitted a report dated 01.12.2023, in which it is



stated that the dispute between the parties has been resolved through the process of mediation. The terms of settlement mutually agreed upon by them has been annexed with the report.

4. Petitioner, who is husband of opposite party no.2., is said to have abused and assaulted the opposite party no.2 in association of his family members for non fulfillment of demand for dowry.

5. It is submitted by learned counsel for the petitioner that the petitioner is an innocent person and has committed no offence. Petitioner is husband of opposite party No.2. Petitioner has neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. It is further submitted that the matter has already been compromised between the parties through the process of mediation.

6. Since the dispute between the parties has already been resolved through the process of mediation, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned SDJM Sikrahna at Dhaka, East Champaran, in connection with Dhaka P. S Case No. 49 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C with the further condition that petitioner shall abide by the terms and conditions of the agreement dated 28-11-2023 arrived at before the Mediator.

(Khatim Reza, J)

shyambihari/-

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