

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35474 of 2024

Arising Out of PS. Case No.-324 Year-2016 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Khushi Alam @ Mogal Gaddi Son Of Hasmat Gaddi Resident Of Village -
Chailabhar, P.S. - Majhauria, District - West Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Khushboo Nisha Wife Of Khushi Alam @ Mogal Gaddi, Daughter Of
Mohammad Sakir Gaddi Resident Of Village - Pitirawa, Gadiyani Tola, P.S.
- Srinagar (PUJAHAN), District - West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar
For the Opposite Party/s	:	Dr.Mrityunjaya Kr.Gautam
		Mr. Sunil Kumar No. III

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 20-11-2024 1. Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel appearing on behalf of

the OP No. 2.
2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Section 498A of the

Indian Penal Code.
3. Learned counsel for the petitioner, at the outset,

submits that the relationship in between the petitioner and the

OP No. 2 has deteriorated to an extent where it is not possible to

revive the conjugal relationship, but then it is submitted that on

intervention of well-wishers, the parties have decided to



reconcile their dispute. It is also submitted that a *Panchayati* was convened in which it was decided that the petitioner will register two kathas of land in favour of the OP No. 2 in or around his village (Petitioner's village).

4. The learned counsel appearing on behalf of the OP No. 2 does not dispute the said submission but then submits that though it was decided that petitioner will execute gift deed with respect to two kathas of land in or around his village, but then the gift deed till date has not been executed, on which the learned counsel for the petitioner submits that the gift deed will be executed within 10 weeks from today.

5. At this stage, learned counsel appearing on behalf of the OP No. 2 submits that in the event if the gift deed with respect to two kathas of land is executed in favour of the OP No. 2, the OP No. 2 shall withdraw the instant criminal case.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case



is pending/successor court in connection with Complaint Case No. 324 of 2016 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the OP No. 2 shall be at liberty to file an application seeking cancellation of anticipatory bail granted to the petitioner in the event if the petitioner does not execute gift deed with respect to two kathas of land within a period of 10 weeks from today.

(Satyavrat Verma, J)

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