

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59368 of 2023

Arising Out of PS. Case No.-788 Year-2022 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

MD MOHSIN SAMI AKHTAR SHAIKH @ MOHSIN SHAMI @ MOHSIN SHAIKH S/O SAMI AKHTAR @ MD. SAMI @ MUNNA R/O VILLAGE- LADAURA, PS. KUDHANI (TURKI O.P.), DIST. MUZAFFARPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. ASIFA SAHIN W/O MOHSIN SHAMI KHNTAR SHAIKH, D/O MD. ASLAM R/O VILLAGE- LADAURA, PS. KUDHANI, DIST. MUZAFFARPUR AT PRESENT VILLAGE- LUKI NANDLALPUR, PS. KUDHNI (TURKI O.P.) DIST. MUZAFFARPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh
For the Opposite Party/s : Mr. Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 27-02-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Complaint Case No. 788 of 2022, disclosing offences under Sections 498A, 323, 34 of the Indian Penal Code.
3. The matter was referred for mediation by this Court and learned Mediator has submitted a report dated 05.12.2023 informing that dispute between parties has been resolved during the process of mediation. The mutual memorandum of agreement dated 04.12.2023 attached with the mediation report says that the petitioner is



required to pay a sum of Rs. 6,50,000/-.

4. Learned Counsel for the complainant submits that as per the terms of the agreement, the petitioner has paid a sum of Rs. 4 lacs as of today and he is required to pay further Rs. 2,50,000/- in first week of March, 2024.
5. Learned counsel for the petitioner submits that Rs. 2,50,000/- shall be paid as per the terms of the agreement by first week of March, 2024.
6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the parties have come to an amicable settlement and a memorandum of agreement has been executed between them, I am inclined to grant the petitioner privilege of anticipatory bail subject to the condition that the petitioner shall abide by the terms of memorandum of agreement and shall pay the balance installments to opposite party No. 2 by first week of March, 2024.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each



to the satisfaction of learned Sub Divisional Judicial Magistrate, West, Muzaffarpur, in connection with Complaint Case No. 788 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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