

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38489 of 2024

Arising Out of PS. Case No.-410 Year-2023 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Altaf Ali @ Md Altaf Ali Son of Late Guljar Miyan @ Mukhtar Miyan
Resident of Village - Bagar, P.S.- Sikarhatta, Distt- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Kaimun Nisha Daughter of Alam Gaur @ Alam Gir, Wife of Altaf Ali @
Md. Altaf Ali Resident of Village- Bagar, P.S.- Sikarhatta, District- Bhojpur.
Presently residing at Village - Bhakura, P.S. - Tarari, District- Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar, Advocate,
For the Opposite Party/s : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

5 19-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has filed the instant application for anticipatory bail, apprehending his arrest in a case registered for the offences punishable under Section 498A of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

3. It is a case of matrimonial dispute between the petitioner and opposite party no. 2

4. Earlier vide order dated 17.12.2024 with consent of both the parties, this matter was referred to the Mediation and Conciliation Center, Patna

5. It reveals from Memorandum of Agreement dated



15.01.2025 that both the parties agreed to live separately and the petitioner will pay the lump sum amount of Rs. 65,000/- (sixty five thousand) to the O.P. No. 2 through bank draft in three installments. The first installment of Rs. 25,000/- (twenty five thousand) will be paid during filling the bond of anticipatory bail, the second installment of Rs. 20,000/- (twenty thousand) will be paid by 31 March, 2025 and the third installment will be paid in May, 2025. The O.P. No. 2 will go to the house of the petitioner on 17.01.2025 and take back the bed, pillow, quilt and other furniture given at the time of marriage. The petitioner will return the said items to the O.P No. 2 without any condition.

6. In the meantime, as per their agreement, both parties are directed to withdraw the cases pending against each other. As also, abide the other condition if any, incorporated in the said agreement.

7. Having heard learned counsel for the parties and considering the facts mentioned in Memorandum of Agreement before Patna High Court Mediation Center, let the petitioner above named, in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, be enlarged on provisional bail in connection with Complaint Case No. 410C of 2023 on furnishing bail bond of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M, Bhojpur at Ara/concerned Court subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. Trial Court is directed to confirm the provisional bail granted to the petitioner after verifying the deposit receipts of payment of the entire amount i.e. Rs.65,000/- (sixty five thousand) by the petitioner to the opposite party. Trial Court will also verify the withdrawal of pending cases, if any, between both the parties.

9. Accordingly, the instant application stands disposed of.

(S. B. Pd. Singh, J)

Prakash/-

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