

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72427 of 2024

Arising Out of PS. Case No.-601 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Mukhtar Ansari @ Md. Mukhtar Ansari S/o- Mohammadin Ansari Resident of Village- Koil, P.S. Charpokhari, District- Bhojpur, At present residing at Bhitan, Govindpur, Ansari House Masjid Ke Najdik, P.S. Govindpur, District- Dhanbad (Jharkhand),

... .. Petitioner/s

Versus

1. The State of Bihar
2. Halima Khatoon W/o- Mukhtar Ansari, D/o- Sahid Ansari Resident of Village- Koil, P.S. Charpokhari, District- Bhojpur, At present residing at Bhitan, Govindpur, Ansari House Masjid Ke Najdik, P.S. Govindpur, District- Dhanbad (Jharkhand),

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bhavesh Kumar, Advocate
For the Complainant	:	Mr. Chhotelal Mishra, Advocate
For the State	:	Mr. Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 25-06-2025 Heard Mr. Bhavesh Kumar, learned counsel for the petitioner, Mr. Chhotelal Mishra, learned counsel for the Informant and Mr. Ajay Kumar No. 2, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. C601 of 2022, dated 07.09.2022 registered for the offences punishable under Sections 498(A), 323, 504, 420 of the Indian Penal Code and $\frac{3}{4}$ of the Dowry Prohibition Act but the learned Court below took cognizance under Section 498(A) of the Indian Penal Code.

3. Petitioner is the husband of the complainant.



Allegation against the petitioner is of committing torture due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offence as alleged in the complaint petition.

5. Vide order dated 09.04.2025, the matter was referred before the Patna High Court, Mediation Centre for resolve the dispute between the parties. Report of the learned Mediator dated 20.05.2025 reveals that the dispute between the parties has been resolved through the process of mediation and both the parties have signed in the Memorandum of Agreement vide Mediation Proceeding No. 464 of 2025, which is reproduced hereinbelow:

“Both the parties along with their learned counsels are present.

In view of settlement of dispute between the parties, both the parties are ready to resolve their disputes as both the parties have already married according to Muslim Law and as such in future they have no claim over each other.

Both parties will withdraw all cases Civil as



well as Criminal Cases pending before the learned Court below.

Thus, mediation has successfully resolved and report is being sent to the Hon'ble Court as the same."

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bikramganj, Rohtas in connection with Complaint Case No. C-601 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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