

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35515 of 2014

Arising Out of PS.Case No. -907 Year- 2013 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Balindra Yadav Son of Late Kishundeo Yadav Resident of village- Pakadi,
P.S.- Mirganj, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Putul Devi, W/o Balindra Yadav, D/o Dhaneshwar Yadav, R/o Pakari,
P.S. Mirgang, District – Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar

For the Opposite Party/s : Mr. Md. Arif(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

06/ 06-08-2015

Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A and 406/34 of the Indian Penal Code.

The basic accusation is of torture.

On the joint prayer of the parties the matter was referred to the Mediation Centre of Bihar State Legal Services Authority vide order dated 27.04.2015. The report of the Mediator



dated 16.07.2015 at Flag 'A' reflects that the dispute between the parties has been resolved through mediation in terms of settlement when the parties have decided to part ways on payment of Rs.50,000/- as permanent alimony and return of certain articles. Out of Rs.50,000/- counsel for the informant claims to have received Rs.20,000/-, rest Rs.15,000/- as per terms of the settlement has to be paid at the time of filing of the application under Section 13B of the Hindu Marriage Act before the Family Court and rest Rs.15,000/- at the time of passing of the decree in the matrimonial suit.

Considering the above facts, let the above named petitioner be released on provisional anticipatory bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Gopalganj in connection with Complaint Case No. 907 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail will be confirmed by the learned court below on payment of aforesaid amount and return of the articles as per the agreement prepared in the mediation

proceeding.

Let the memorandum of agreement be transmitted
to the learned court below along with the present order.

(Dinesh Kumar Singh, J)

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