

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10281 of 2015

Arising Out of PS.Case No. -56 Year- 2011 Thana -BHOJPUR COMPLAINT CASE District-
BHOJPUR

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Ramesh Tiwari Son of Ram Naresh Tiwari, Resident of Village - Bhusaula,
P.S. - Shahpur, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Manorma Devi W/o Ramesh Tiwari R/o Village Bhusaula, P.S. -
Shahpur, District - Bhojpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Singh

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

04/ 28-09-2015

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 processes have been directed to be issued after
cognizance being taken for the offences punishable under
Section 498A 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 State Legal Services
Authority. The report of the Mediator dated 24.09.2015 at Flag
'X' reflects that the issue has been settled between the parties as

both have decided to get the marriage dissolved on payment of permanent alimony of Rs.10,00000/- (Ten lakhs).

The petitioner and the complainant are present.

Counsels for the parties submit that the issue has been resolved in terms of the agreement reached before the Mediator.

In terms of the agreement the counsel for the petitioner handing over a draft of Rs.5,00000/- (Five lakhs) to the counsel for the complainant drawn on SBI, Shahpur Branch vide Draft No. 256688 dated 27.09.2015. Let the draft be handed over to the learned counsel for the complainant for being handing over to the complainant and it is expected from the learned counsel for the complainant to make necessary endorsement on the record. The rest Rs.5,00000/- (Five lakhs) will be deposited by the petitioner before the Principal Judge, Family Court, Bhojpur at Ara which will be as per the terms of agreement will be released in favour of the complainant on finalization of the matrimonial suit.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, 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, Bhojpur at Ara in connection with Complaint Case No. 56(C) of 2011, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the report of the Mediator dated 24.09.2015 along with the terms of agreement be transmitted to the learned court below.

(Dinesh Kumar Singh, J.)

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