

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 38785 of 2014

Arising out of P. S. Case No. - 37 Year - 2014 Thana - MAHILA P.S. District - DARBHANGA

1. Jitendra Kumar Sah @ Jitendra Kumar, Son of Shiv Kumar Sah,
Resident of Village - Babubarhi, Police Station - Babubarhi, Distt -
Madhubani

.... Petitioner

Versus

1. The State of Bihar
2. Soni Kumari, W/o Jitendra Kumar Sah @ Jitendra Kumar, daughter of
Satynarayan Sah, resident of village Kadirabad, P.S. Biswabidyalay,
District – Darbhanga

.... Opposite Party

Appearance :

For the Petitioner : Mr. Birendra Kumar Singh, Advocate
For O.P. No. 2 : Mr. Arun Kumar Bhagat, Advocate
For the State : Mr. Suresh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

5 12-05-2015 Learned counsel for the petitioner is directed to add the
informant as opposite party no. 2 in course of the day.

Permission is accorded.

Heard learned counsel for the petitioner, the State and the
opposite party no. 2.

Both the petitioner and the opposite party no. 2 are
present and stated that they have compromised and the compromise
petition has also been filed in the learned Court below. The petitioner is
agreed to pay Rs.3,30,000/- to the opposite party no. 2 for the full and
final settlement of any claim for divorce and, thereafter, the opposite
party no. 2 shall have no right to claim maintenance for divorce and
both shall be separated from each other and further both the parties
shall withdraw their cases filed against each other and if any

withdrawal petition is filed then the learned Court below shall consider to withdraw the case in terms of the compromise between the parties and on payment of the maintenance.

It has been submitted by the learned counsel for the petitioner that the petitioner requires three month's time to pay the settlement amount.

The petitioner is directed to surrender in the learned Court below within four weeks and on surrender the learned Court below shall allow the petitioner to remain on interim bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Darbhanga in connection with (Darbhanga) Sadar Mahila P.S. Case No. 37 of 2014, G.R. No. 1100 of 2014 for three months and, in the meantime, within three months **from today** the petitioner will pay Rs.3,30,000/- to the opposite party no. 2 by cheque to be encashed in any account, subject to the condition that both parties shall withdraw their cases filed against each other and on payment of the amount by cheque in the account of the opposite party no. 2 which she provides, the learned Court below shall confirm the bail bond.

With this observation, the petition is disposed of.

(Gopal Prasad, J.)

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