

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2674 of 2014

Arising Out of PS.Case No. -749 Year- 1998 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Birendra Kumar Singh, son of Shiv Prasad Singh, resident of village Karun Gopalpur, Police Station- Karakat (Gorari), District- Rohtas, at Sasaram, presently resident of mohalla New Area, West Mohan Bigha, Dehri-On-Sone, Police Station- Dehri-On-Sone, District- Rohtas at Sasaram

.... Petitioner/s

Versus

1. The State of Bihar,
2. Baijanti Dev, wife of Birendra Kumar Singh, daughter of Jang Bahadur Singh, resident of village- Dhangain, Police Station- Bikramganj, District- Rohtas at Sasaram

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambuj Nayan Chaubey

For the Opposite Party/s : Mr. Nagendra Pd.(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

13/ 10-12-2015

Supplementary Affidavit filed on behalf of the

Petitioner stating that ₹13,000,00/- (thirteen lac) has already been paid to the Opposite Party No.2 be kept on record.

On the last occasion, it had been agreed that on payment of ₹13,000,00/- (thirteen lac) to the Opposite Party No.2, the spouses would have no relation with each other.

The admitted position is that the amount of ₹13,000,00/- (thirteen lac) has been paid to the Opposite Party No.2.

In view of such and in the interest of the parties, the

order dated 22.11.2013 passed in Cr. Misc. Case No.10 of 2009 by the 1st Additional Sessions Judge, Rohtas at Sasaram, by which he had cancelled the bail bond of the Petitioner is hereby set aside as also the entire proceeding of Complaint Case No.749 of 1998 pending before the Sub-Divisional Judicial Magistrate, Sasaram, is also hereby quashed.

The parties are directed to file an application under Section 13-B of the Hindu Marriage Act within four weeks before the concerned Family Court which will pass necessary orders in accordance with law in view of the submission of the parties that they do not wish to live together.

The Petitioner will also withdraw the First Appeal which he has filed against the dismissal of his Divorce Suit.

If, at all, the educational certificates of the Opposite Party No.2 are lying with the Petitioner, he shall return the same to the Opposite Party No.2.

The application stands **allowed**.

(Anjana Prakash, J)

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