

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53240 of 2015

Arising Out of PS.Case No. -867 Year- 2015 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

=====

1. Diwakar Ram Dabgar son of Late Nathu Das, resident of village-
Rajopatti, Ward No. 7, P.S. & District- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Silochana Devi, wife of Diwakar Ram Dabgar, resident of village-
Rajopatti, Ward No. 7, P.S. & District- Sitamarhi

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Ashok Kumar(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

6 23-08-2016 Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 494/34 and 498A of the Indian Penal Code.

The basic accusation is of torture and performance of second marriage.

It is submitted by the learned counsel for the petitioner that petitioner admits his marriage with the complainant and the second marriage which was performed in 2012 much prior to the lodging of the

present case. The complainant earlier lodged Sitamarhi Sadar Mahila P.S. Case No. 8 of 2013 with similar accusation.

On the joint prayer of the parties, the matter was referred to the Mediation and Conciliation Centre of the Bihar State Legal Services Authority vide order dated 05.04.2016. The report of the Mediator at Flag-A dated 22.08.2016 reflects that the issue has been resolved between the parties on terms of payment of one time settlement amount of Rs. 5,50,000/-, which the complainant has already received.

Learned counsel for the complainant Mr. Ranjit Kumar Mishra, does not controvert the contention of the learned counsel for the petitioner that one time settlement amount has already been paid.

Considering the aforesaid facts, let the above named petitioner be released on 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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Complaint Case No. C-1/867 of 2015, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

Let, a copy of this order as well

as the report of mediator including the terms of agreement be transmitted to the learned court below.



(Dinesh Kumar Singh, J)