

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.53129 of 2016**

Arising Out of PS.Case No. -252 Year- 2014 Thana -HILSA District- NALANDA  
(BIHARSHARIFF)

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Vishal Paswan, Son of Raghunath Paswan, Resident of Bairiya, Police  
Station- Gopal Pur, District Patna.

.... .... Petitioner

Versus

1. The State of Bihar.
2. Rinki Devi, Wife of Vishal Paswan, Daughter of Anandi Paswan,  
Presently residing at village-Hundari Police Station- Hilsa (chiksohara),  
District- Nalanda.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Ravi Shanker Pankaj, Advocate.  
For the State : Mr. Shailendra Kumar -1, A.P.P.  
For the O.P. No. 2 : None.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

11 06-02-2018 Heard learned counsel for the petitioner and learned  
A.P.P. for the State. None appears for opposite party no. 2.

The petitioner is apprehending his arrest in a case for  
the offence registered under Sections 498(A)/34 of the IPC and 3/4  
of the D.P. Act.

The prosecution story, in brief, is that the accused  
persons including the petitioner tortured the victim due to non-  
fulfillment of demand of dowry.

The matter was referred to the Patna High Court  
Mediation and Conciliation Centre on 27.01.2017. As per the  
report of the Mediator, the matter has been settled between the



parties.

The following are the terms and conditions of the  
Memorandum of Agreement:-

**“ Patna High Court Mediation Centre**  
**Memorandum of Agreement**  
**Mediation Proceeding No. 105 of 2017**  
**(Arising out of Cr. Misc. No. 53129 of 2016)**

An agreement made on 24.01.2018 at the High Court Patna Mediation Centre between.

Vishal Paswan, Son of Raghunath Paswan, resident of Bairiya,  
P.S.- Gopal Pur, District-Patna.....(First Party).  
And

Rinki Devi, wife of Vishal Paswan, D/O Anandi Paswan,  
presently residing at Village- Hundari, P.S.-Hilsa (Chiksohara),  
District-Nalanda.....(Second Party).

Both the petitioner and opposite party no. 2 are personally present. The petitioner is present with his counsel Mr. Ravi Shankar Pankaj, Advocate.

The parties have resolved their dispute by way of one time settlement at Rs. 1,10,000/- (Rupees One Lakh Ten Thousand Only) on following terms and conditions:-

1. That petitioner has paid the total agreed amount Rs. 1,10,000/-(Rupees One Lakh Ten Thousand Only) in different installments out of which the last installment of Rs. 22,000/-(Rupees Twenty Two Thousand Only) has been paid in cash today for which the opposite party no. 2 has acknowledged the receipt of the same.
2. That after this one time settlement both the petitioner and the opposite party no. 2 have mutually agreed to dissolve their conjugal life for which parties have agreed to file mutual divorce petition U/S 13(B) of the Hindu Marriage Act before the competent Court. The draft copy of the mutual divorce petition is taken on record.
3. That parties have further agreed on the point that after this one time settlement, the opposite party no. 2 shall not make



any further claim to the petitioner.

4. Parties have also agreed that they will withdraw all the cases, if any, filed, against each other.
5. That parties have agreed that after this one time settlement they will lead their independent life.
6. That the above contents of this agreement have been read over and explained to us in Hindi in presence of our respective lawyers which we have fully understood and accepted there upon.
7. That on the above terms and conditions a settlement has been arrived at between the parties and both have signed/thumb impression in presence of their respective learned counsels, who have also put their signature on his agreement.

Sd./- Vishal Paswan  
(Vishal Paswan).

Signature of the petitioner

Date-24.01.2018.

Sd./-Rinki Devi. Suresh Paswan  
(Rinki Devi).

Signature of the opposite party  
No. 2.

Date-24.01.2018.

Sd./-Ravi S. Pankaj, 24.01.18.

Signature of the petitioner,  
Advocate  
A.O.R. No.

Date- 24.01.2018.”

Signature of the opposite party  
no. 2, Advocate.

A.O.R. No.

Date- 24.01.2018.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Hilsa, Nalanda, in connection with Hilsa (Chiksaura) P.S. Case No. 252 of 2014, subject to the conditions as laid down under Section 438(2) of the



Code of Criminal Procedure.

U.K./-

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**(Sudhir Singh, J)**

