

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6081 of 2018

Arising Out of PS. Case No.-1108 Year-2015 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Amrendra Kumar, S/o Surendra Prasad, Resident of Village- Pirodha Math,
P.S. Ghoshi, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rani Kumari, W/o Amrendra Prasad, D/o Sri Mahesh Prasad, Resident of
Village- Dabaul, P.S.- Hilsa, District- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-05-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 498(A), 494, 379, 504/34 of the Indian
Penal Code and 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing
torture upon the victim due to non-fulfilment of demand of
dowry.

The matter was referred to the mediation centre vide
order dated 02.02.2018. As per report of the Mediator, the
matter has been settled between the parties. The report of the
Mediator is as follows:



**“Patna High Court Mediation Centre
Memorandum of Agreement
Mediation Proceeding No. 23 of 2018
(Arising out of Cr. Misc. No. 6081 of 2018)**

An agreement made on 14.05.2018 at the High Court Patna Mediation Centre between

Amrendra Kumar, Son of Surendra Prasad, resident of village Pirodha Math, P.S.-Ghoshi, District- Jehanabad ----(First party).

And

Rani Kumari, wife of Amrendra Prasad, D/o- Sri Mahesh Prasad, resident of Village-Dabaul, P.S.- Hilsa, District- Nalanda. ----- (Second party)

Both parties appeared and ready to settle the dispute through the mediation proceeding on the following terms and conditions:-

1. That both the parties agreed upon to settle the dispute by one time settlement.
2. That the petitioner has handed over three cheques bearing No. 426741 dated 14.05.2018 amounting Rs. 4,15,000/- (Rupees Four Lakh Fifteen Thousand only) and others post dated cheque bearing No. 426742 dated 14.06.2018 amounting to Rs. 2,00,000/- (Rupees Two Lakh only) and post dated cheque bearing No. 426743 dated 14.07.2018 amounting to Rs. 2,15,000/- (Rupees Two Lakh Fifteen thousand only) of State Bank of India, Gaya Bazar (Gaya) Branch within District- Gaya to the opposite party No. 2 namely Rani Kumari issued by Awadh Bihari Kumar who is brother-in-law of the petitioner.
3. That the opposite party No. 2 namely Rani Kumari received the aforesaid three account payee cheques amounting to Rs. 4,15,000/- (Rupees Four Lakh Fifteen Thousand only) bearing No. 426741 dated 14.05.2018 and amounting to Rs. 2,00,000/- (Rupees Two Lakh only) bearing cheque No. 426742 dated 14.06.2018 and cheque bearing No. 426743 amounting to Rs. 2,15,000/- dated 14.07.2018.
4. That both the parties agreed upon to free from all Matrimonial obligation and more over there is no any type of claim by both the parties.
5. That after receiving/withdrawal of the total amount of Rs. 8,30,000/- (Rupees Eight Lakh Thirty Thousand only) the opposite party No. 2 will withdraw the complaint Case No. 1108 C of 2015 pending in the court of S.D.J.M., Hilsa, Nalanda. The opposite party No. 2 will withdraw any case filed by the Complaint against the petitioner.
6. That the both the parties agreed upon to get a decree of divorce by mutual consent before the competent court of



jurisdiction.

7. That both the parties agreed upon after withdrawing the aforesaid case no claim will be made in future.

8. That the statement made in this agreement has been read over and explained to me in Hindi which I fully understood.

In the above terms and conditions a settlement has been arrived at between the parties and both have signed their signature/or put L.T.I. on the agreement.

Sd/
(Amrendra Kumar)
Signature of the petitioner
Date 14.05.2018

sd/
Signature of the petitioner
A.O.R. No. 03639
Date 14.05.2018

Sd/
(Rani Kumari)
Signature of the opposite party No. 2
date- 14.05.2018

sd/
Advocate signature of the opposite
A.O.R. No. 04942
dated 14.05.2018”

Considering the same, let the petitioner, above named, in the event of arrest/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 learned S.D.J.M., Hilsa, Nalanda in connection with Complaint Case No. 1108C/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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