

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2771 of 2019

Arising Out of PS. Case No.-125 Year-2017 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Tulsi Sharma Late Suryadeo Sharma Vill-Kariganw,P.S-Rajauli,Distt.-
Nawada.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr Bihar
2. Soni Devi Tulsi Sharma Daughter of Late Shyam Sundar Sharma, at present
vill-Pathara,P.S-Meskaur(Sirdala),Distt.-Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhola Kumar

For the Opposite Party/s : Mr.Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 25-09-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.125 of 2017 registered for offences punishable under Sections 498(A) of the Indian Penal Code.

Case is under Section 498A of the IPC. Petitioner happens to be husband of the informant. On appearance of the O.P.no.2, the matter was referred to the Mediation Centre. Now the mediator report is available which is kept at flag 'Z', which shows that the dispute has been resolved on the terms and conditions as mutually agreed between them and from the terms and conditions it appears that both the parties have agreed for permanent alimony on the amount of Rs.01 lac, out of which



Rs.50,000/- is being paid by the bank draft no.45987 dated 10.8.2019 of the Punjab National Bank, which was handed over to the informant on 14.8.2019 and second instalment of Rs.50,000/- was given to the O.P.no.2 by the bank draft no.121008 dated 12.9.2019 and the same has been received on 19.9.2019 and on that condition, both the parties have agreed to reside separately and also agreed to withdraw all the cases.

Aforesaid agreement also have signature of both the parties and their respective counsels.

Both the parties have admitted the position, however, the learned counsel for the O.P.no.2 has submitted that the bank drafts have not been encashed up till now .

Heard learned A.P.P. . .

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner surrender before the learned court below on 16.10.2019 and on that day O.P.no.2 shall also remain present before the learned court below and the learned court below shall call for as to whether both the bank drafts have been encashed or not and once both the bank drafts are encashed the learned court below shall confirm the provisional bail granted to the petitioner by this Court, vide order dated 22.1.2019.



Let a copy of the mediator report along with the memorandum of the agreement be sent to the leaned court below for the needful..

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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