

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7433 of 2019

Arising Out of PS. Case No.-133 Year-2018 Thana- MAHILA P.S. District- Patna

Dipu Kumar @ Jaswantkumar @ Dipu, Son of Bipin Bihari Prasad @ Bipin Jaiswal Resident of Village-Kotwali Chauk (Ganj No.1) at Bettiah, P.S.- Bettiah (Town), District-West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. shefali Chhaya @ Neha Vijay Kumar @ Laxmi Prasad, C/O-Nand Kishore Prasad Resident of Mohalla-Ram Krishna Nagar, P.O. Jaganpurra, P.s Ram Krishna Nagar P.S. District-Patna, Permanent Address-At Rupani Pokhar, Katra Chauk, P.O and P.S. and District-Shekhpora

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1
For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

9 06-11-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of Opposite party No.2.

Petitioner apprehends his arrest in connection with Mahila P.S. Case No.133 of 2018, for the offence punishable under Sections 498(A), 506 and 509/34 of the Indian Penal Code.

Pursuant to order dated 16.10.2019, both learned counsels along with their respective clients are present today before this Court.

In terms of order dated 08.08.2019, parties have arrived at an amicable settlement and the final amount of a sum of Rs.1,75,000/- has been paid by the petitioner in favour of Opposite Party No.2 by way of cross cheque bearing No.104920 dt.06.11.2019 of SBI Naurangabag (Bettiah) branch. The cheque, in



question, has been handed over to Opposite Party No.2, who is present before this Court in person. Learned counsel further submits that fresh deed of gift pertaining to the land, in question, has been executed and registered in favour of Opposite Party No.2 by the petitioner as agreed by the petitioner in terms of order dated 08.08.2019.

In view of the aforesaid, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Priya Shekhar, learned Judicial Magistrate, Ist Class, Patna, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

It is made clear that all the cases pending between the parties shall either be withdrawn or compromised.

It has been submitted that petitioner has filed a petition before the Principal Judge, Family Court, West Champaran bearing Matrimonial Case No.111 of 2018. Both the parties have agreed that they will get it converted to an application for divorce on mutual consent under Section 13(B) of the Hindu Marriage Act. Let the party do so.



It is undertaken by both the parties that they will separate themselves by mutual consent in accordance with law.

Sanjeev/-

(Anil Kumar Sinha, J)

U		T	
---	--	---	--

