

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7449 of 2019

Arising Out of PS. Case No.-955 Year-2017 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Mahabir Chaudhary, son of Sampat Chaudhary, R/O Village- Tarar, P.S.-
Daudnagar, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Amrita Kumari Mahabir Chaudhary, D/O Dev Nandan Chaudhary, R/O
Village- War, P.S.- Madanpur, District- Aurangabad (Bihar).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 01-07-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 955 of 2017, disclosing

offences under Sections 323, 498A of the Indian Penal Code and

Section 4 of Dowry Prohibition Act.

Case is under Section 498-A of the IPC.

On appearance of the opposite party no. 2, the matter

was referred to the Patna High Court Mediation &

Reconciliation Center, vide order dated 18.02.2019. The report

of Mediator is available on record at Flag “P” which disclosed

that the dispute between the parties has been resolved and the

terms of settlement mutually agreed upon them, which is

attached with the mediator’s report. The Mediator’s report

disclosed that both the parties decided to live separately and



both the parties came to the amicable settlement on one time settlement of Rs.1,50,000/- and both the parties will file a divorce petition with consent on payment of Rs.1,50,000/- to the opposite party no.2 and it is also agreed upon them that the opposite party no.2 shall withdraw the maintenance case pending before the Principal Judge, Family Court, Aurangabad and the opposite party no.2 shall file a compromise petition before the S.D.J.M. in the present case.

Learned counsel for the petitioner and learned counsel for the opposite party no.2, who have admitted the aforesaid facts.

In such view of the matter, let the petitioner, above named, surrender before the learned court below by 11.07.2019 and on his surrender, the learned court below shall release the petitioner on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned S.D.J.M., Aurangabad, in connection with Complaint Case No. 955 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with further condition that both the parties shall abide by the terms of agreement mutually agreed upon them.



Let a copy of Mediator's report along with terms of agreement be sent to the courts concerned for needful.

With the aforesaid observations, this application is allowed.

Sunil Shukla/-

(Vinod Kumar Sinha, J)

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