

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.12022 of 2019**

Arising Out of PS. Case No.-1258 Year-2017 Thana- MUZFFARPUR COMPLAINT CASE  
District- Muzaffarpur

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RAKESH PANDIT Son of Rudal Pandit @ Sadal Pandit R/o village-  
Korigama (Mahmadpur), P.S- Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Gita Kumari D/o Lakhendra Pandit R/o village- Katesar, P.S- Sakra, Distt.-  
Muzaffarpur

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH  
ORAL ORDER**

4      26-06-2019              Heard learned counsels for the petitioner and the  
complainant.

The petitioner, being the husband of the complainant is  
apprehending arrest in a complaint case wherein process has  
been directed to be issued after cognizance being taken for the  
offence punishable under Section 498A of the IPC.

The prosecution case as per the complaint petition is that  
the marriage between the petitioner and the complainant was  
performed on 24.4.2015 but subsequent to the marriage, torture  
was inflicted upon the complainant and attempt was made to kill  
her but any how she managed to save herself.

It is submitted by learned counsel for the petitioner that



the petitioner admits his marriage with the complainant. However, during mediation, the issue has been resolved in terms of parting ways on payment of one time settlement amount of Rupees One Lac Ninety Thousand and getting the marriage dissolved through mutual consent.

Learned counsel for the complainant submits that the complainant accepts the terms of agreement as gets reflected from the Memorandum of Agreement dated 20.6.2019 at Flag – M.

Considering the fact that the matter was referred to mediation on the joint prayer of the parties and the report of Mediator dated 21.6.2019 reflects that the parties have resolved the issue in terms of payment of one time settlement amount of Rupees One Lac Ninety Thousand and getting the marriage dissolved through mutual consent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-4, Muzaffarpur in connection with .Complaint Case No.1258 of 2017, subject to the conditions laid down in Section 438(2) of the Cr.P.C.

Needless to mention that either party will be at liberty



to file appropriate application before the learned Court below if either party fails to comply the terms of Memorandum of Agreement.

Let a copy of the Memorandum of Agreement be transmitted to the learned Court below.

**(Dinesh Kumar Singh, J)**

anil/-

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