

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10344 of 2019**

Arising Out of PS. Case No.-118 Year-2015 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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KUNJESH SAHANI, Son of Dina Nath Sahani, resident of village- Bagahi,
P.S.- Kothibhar Sisawa District- Maharajganj (U.P.)

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Gudiya Devi, wife of Kunjesh Sahani D/o Late Ashok Sahani, resident of Village- Bagahi, P.S.- Kothibar Sisawa District- Maharajganj (Uttar Pradesh). At Present address- ward No. 26, P.S.- Bagaha, District- West Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr.Prithvi Nath Mishra
For O.P. No.2	:	Mr. Vijay Kr. Singh No.1
For the State	:	Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 15-07-2019 Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. 118 of 2015 in which cognizance has been taken under Section 498A of the Indian Penal Code.

On appearance of opposite party No.2 the matter was referred to the District Mediation Centre, West Champaran and the report of the Mediator disclosed that the matter has been resolved between the parties on the terms and conditions mutually agreed upon between the parties. It further appears that though both the parties are living separately on the condition that petitioner shall pay Rs.1 lac to opposite party No.2 in three instalments, first instalment has to be paid on 7.8.2019 and rest of the instalments have to be paid by December, 2019.



Both the parties have admitted the above fact.

Heard learned APP also.

In view of above facts and circumstances, let petitioner surrender in the court below on 7.8.2019 along with a Bank Draft of Rs.34,000/- in favour of opposite party No.2, on that he shall be released on provisional bail till December, 2019 by the court below itself and during that period petitioner shall deposit rest of the amount to the opposite party No.2 through Bank Draft. Once the total amount is paid, his bail bonds shall be confirmed with further condition that petitioner has to obey the terms and conditions mutually agreed upon between the parties. At the same time, it is expected that opposite party No.2 shall also obey the agreement reached between the parties.

This application is, accordingly, disposed of.

Let the report of the Mediator along with the memorandum of agreement be sent to the court concerned for needful.

(Vinod Kumar Sinha, J)

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