

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13848 of 2019

Arising Out of PS. Case No.-30213 Year-2014 Thana- PATNA COMPLAINT CASE District-
Patna

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Rajendra Singh, Son of Late Harjeet Singh, Resident of Mohalla - Panjabi Colony, Chitkohra, Near Sai baba Mandir, P.S. - Gardanibag, P.O. Anisabad, Distt - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Alenkrita Kumari, Wife of Rajendra Singh, D/o Late Shyam Narayan Pandey, Resident of Moh -Keshrinagar,, Shyamkutir, Road No. 19 Baba Chowk, P.S.- Shastrinagar, Distt- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Sinha
For the Opposite Party/s : Mr. Nand Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 02-09-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 30213 (C) of 2014, Trial No.2652 of 2018, disclosing offences under Section 498A of the Indian Penal Code and Section 3/4 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 30.04.2019. The report of Mediator is available on record at Flag “B” 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 they are agreed to live separately and petitioner is ready to pay Rs.8000/- per month to the opposite party no.2 for educational purpose of their children and livelihood of the children till the attainment of the age of 22 years of the child or till completion of the education of the child. Further petitioner has also agreed to deposit Rs. 2,50,000/- in the name of his child after five years and another Rs.2,50,000/- after ten years from the date of agreement and on condition that they have agreed to compromise the dispute between the parties and further decide to file a joint compromise petition before the Family Court.

Learned counsel for the petitioner and learned counsel for the opposite party no.2 have admitted the above facts.

Learned counsel for the petitioner undertakes that he will abide by the terms and conditions reached between the parties and also undertakes that if he fails to abide the same, the opposite party no.2 is at liberty to move for his cancellation of bail bonds.

Having heard both sides, considering the above facts and circumstances, as stated above, let the petitioner, above named, surrender before the learned court below within a period of two weeks from the receipt of certified copy of this order and



on surrender, he will be released 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., Patna, in connection with Complaint Case No.30213 (C) of 2014, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that he is to abide by the terms and conditions of the agreement reached between the parties and to pay the amount of maintenance regular.

It is also made clear that failure to payment of maintenance continuously for three months, the opposite party no.2 shall be at liberty to move for cancellation of the bail bonds of the petitioner before the court below itself.

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

With the aforesaid observations, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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