

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14242 of 2019

Arising Out of PS. Case No.-656 Year-2018 Thana- MOHANIYA District- Kaimur (Bhabua)

Gyanendra Pratap Singh, Son of Sanjiv Singh @ Akshay Singh, Resident of
Village-House No. C21/101 Mahamandal Nagar, Lahurabir, P.S.-Chetganj,
District-Varanasi (U.P)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-05-2019 The case is under Section 498-A of IPC. On appearance of the opposite party no.2, the matter was referred to the Patna High Court, Mediation & Conciliation Center vide order dated 07.03.2019 and the Mediator's report is available on record. The dispute between the parties has been examined on the terms of settlement which appears from the said report and the terms of settlement disclosed that the petitioner has to pay Rs.22,50,000/- (Rupees Twenty Two Lakhs Fifty Thousand only) to the opposite party no.2 by way of demand draft of any nationalized bank in the name of opposite party no.2 and after payment of agreed amount, the parties have no claim over each other and all the disputes between the parties will come to an end. Further, agreed that the first installment of Rs.5,00,000/- (Rupees five Lakhs) will be paid to the opposite party no.2 at



the time of filing of mutual divorce petition under Section 13(B) of the Hindu Marriage Act before the Family Court, Kaimur at Bhabua and second installment of Rs.10,00,000/- (Rupees Ten Lakhs) will be paid by 24.07.2019 before the Family Court, Kaimur at Bhabua and rest amount will be paid by the petitioner to the opposite party no.2 before delivery of judgment by the learned Principal Judge, Family Court, Kaimur at Bhabua.

It is also agreed that the opposite party no.2 shall withdraw the cases under Domestic Violence Case No.1642 of 2018 against the petitioner pending before the court of learned Additional Chief Judicial Magistrate-VII, Kaimur at Bhabua and also the present case.

Both the parties are present and they have admitted the aforesaid agreement.

In such view of the matter, let the petitioner surrender before the court below by 29.05.2019, on that day, the petitioner shall 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 Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Mohania P.S. Case No.656 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.



This is further subject to the condition that he will abide by the conditions mentioned in the terms of agreement and it is also expected by the opposite party no.2 that she will also abide by the terms of agreement, otherwise the opposite party no.2 is at liberty to move for cancellation of the bail bonds of the petitioner before the learned court below.

Let copy of the mediator's report along with copy of term of agreement be sent to the court below for needful.

(Vinod Kumar Sinha, J)

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