

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14948 of 2019

Arising Out of PS. Case No.-137 Year-2018 Thana- BHAGWANGANJ District- Patna

Surya Prakash Vimal, Son of Sri Kamlesh Das, Resident of Village- Chaithul,
P.O.- Bedauli, P.S.- Bhagwanganj, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usum Kumari, Daughter of Shiv Lakhan Das, Resident of Village-
Alawalpur, P.S.- Naubatpur, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Naresh Ray

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 10-07-2019 Heard learned counsel for the petitioner, learned
counsel for the informant-opposite party no. 2 and learned APP
for the State.

The petitioner, being the husband of the informant, is
apprehending his arrest in a case registered for the offences
punishable under Sections 341, 323, 504, 498A and 494 of the
Indian Penal Code

The prosecution case is that the marriage between the
informant and the petitioner was performed on 04.06.2017, but
subsequent to the marriage, further dowry demand of a car was
made and due to non-fulfillment of the same, torture was
inflicted upon the informant and she was subjected to assault



and ultimately, she was compelled to leave the petitioner's house.

It is submitted by learned counsel for the petitioner that the issue has been resolved during mediation in terms of getting the marriage dissolved by filing a matrimonial suit under Section 13B of the Hindu Marriage Act on payment of one time settlement amount of Rs.8,50,000/- (Eight lakhs) within a period of six months in three equal bimonthly installments and filing of compromise petition in Bhagwanganj P.S. Case No. 137 of 2018 and Domestic Violence Case.

Learned counsel for the informant does not dispute the factum of compromise and hence, he is not opposing the prayer for anticipatory bail.

Considering the fact that the matter was referred to the Mediation Centre vide order dated 12.03.2019 on the joint prayer of the parties and report of Mediator dated 23.04.2019 at Flag "M" reflects that the issue has been resolved in terms of agreement for dissolution of marriage with mutual consent. Considering the agreement arrived at, the informant is not opposing the prayer for anticipatory bail of the petitioner, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of



twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Masaurhi, District - Patna in connection with Bhagwanganj P.S. Case No. 137 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the order be transmitted to the learned Court below along with the terms of agreement arrived at between the parties during mediation.

(Dinesh Kumar Singh, J)

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