

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17551 of 2019**

Arising Out of PS. Case No.-2787 Year-2017 Thana- VAISALI COMPLAINT CASE
District- Vaishali

=====

UPENDRA PATEL Son of Late Laxman Prasad, Resident of Mohalla-Cooperative Colony, Nutandih, Police Station- Sarari Dhela in the district of Dhanbad (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandani Kumari, Daughter of Shyam Nandan singh, Resident of Village-Asoi lachachi Ram, Police Station- Bhagwanpur in the District of Vaishali.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar
For the Opposite Party/s	:	Mr.Dr. Kumar Uday Pratap
For O. P. No. 2	:	Mr. Yatinder Narayan

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 16-09-2019 Heard learned Counsel for the petitioner, learned Counsel for the Opposite Party No. 2 and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Complaint Case No. 2787 of 2017, in which cognizance has been taken under Sections 498-A/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, 1961.

The dispute between the parties relates to matrimonial discord. The matter was referred for mediation and from perusal of the report of the learned Mediator, dated 17.08.2019 and the memorandum of agreement, dated 09.08.2019, it is evident that



both the parties have amicably settled their disputes and the petitioner is ready to keep his wife- Opposite Party No. 2 with all care, honour and dignity.

Having regard to the above, the provisional bail granted to the petitioner by order, dated 26.03.2019, is hereby confirmed, with conditions that (i) the petitioner will abide by the terms and condition of the agreement dated 09.08.2019, with certain modification that the petitioner will take his wife by 15th of October, 2019, positively and (ii) the petitioner will file an affidavit sworn by Opposite Party No. 2 and the petitioner jointly to the effect that the petitioner and the Opposite Party No. 2 are living together peacefully as husband and wife pursuant to the agreement, dated 09.08.2019, within a period of six weeks from today.

It is also made clear that if the terms and agreement is deviated by the petitioner, the Opposite Party No. 2 will be at liberty to move appropriate application before appropriate forum.

This application is, accordingly allowed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

