

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19439 of 2019**

Arising Out of PS. Case No.-2362 Year-2017 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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NITISH KUMAR Son of Shiv Kumar Yadav @ Shiv Kumar Rai R/o village-
Shivraha Basudeva, P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Annu Kumari Wife of Nitish Kumar, D/o Sri Upendra Rai At present
village- Bandra, P.O.- Bandra, P.S.- Pear, Distt.- Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Neeraj Kumar Alias Sanidh

For the Opposite Party/s : Mr.Binod Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 02-07-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.2362 of 2017 (Tri. No.2618 of 2018) , registered for offences punishable under Section 498(A) of the Indian Penal Code read with Section 4 of the Dowry Prohibition Act.

Case is under Section 498(A) of the IPC with respect to demand of dowry and subjecting the complainant to cruelty.

On appearance of O.P.no.2, the matter was referred to the Patna High Court Mediation and Re-conciliation Centre and the report of the mediator is kept on the record that shows



that the dispute between the parties has been resolved through the process of mediation to live separately on the terms of one time settlement of Rs.05 lac and they will file an affidavit under Section 13(B) of Hindu Marriage Act for divorce with mutual consent. At the time of filing application, Rs.2,50,000/- will be paid to the O.P.no.2 and rest of the amount will be paid to O.P.no.2 by the petitioner before passing decree of divorce and it is also stated that both parties will file compromise petition before the SDJM (East), Muzaffarpur.

Heard both the parties. They have admitted that the agreement has been reached between the parties. .

In such view of the matter, the provisional bail granted to the petitioner, vide order dated 1.4.2019 is confirmed on condition that both parties shall abide by condition of agreement.

A copy of the mediation report along with the memorandum of the agreement reached between the parties be sent back to the court concerned at once .

(Vinod Kumar Sinha, J)

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