

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25046 of 2019

Arising Out of PS. Case No.-93 Year-2018 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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PHULCHAND PANDIT @ PHULCHANDRA PANDIT Son of Kushe Pandit
Resident of Village- Navnagar, P.S.- Rudrapur, District- Madhubani.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nirmala Devi Daughter of Vilechan Pandit Resident of Village- Kharik, P.S.- Bheja, District- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 11-09-2019 This application, for grant of anticipatory bail, arises out of C.R. No. 93/2018, disclosing offences under Section 498A of the Indian Penal Code.

Petitioner happens to be husband of the complainant and allegation against the petitioner is of subjecting the complainant to cruelty and torture with respect to non fulfilment of demand of dowry and also ousted from the house.

It appears that on appearance of opposite party no. 2, the matter was referred to Patna High Court Mediation and Conciliation Center, Patna and the report of learned Mediator is available on record, from which, it appears that the dispute between the parties have been resolved through the process of



mediation and both the parties have decided to live separately on payment of Rs. Two Lakhs by the petitioner to the complainant – opposite party no. 2, which has already been paid to her. It was also decided that parties would withdraw their cases pending in the court below and the agreement between the parties has also been annexed with the mediation report, on which, signature of the parties are there.

Learned counsels of both the parties have appeared and they have admitted the factum of settlement of dispute between the parties.

Heard learned A.P.P. also.

In such view of the matter, this application is disposed of with direction to the petitioner to surrender in the court below within two weeks from the date of receipt of this order, on which, the court below shall release him on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of like amount each to satisfaction of learned ACJM-I, Jhanyharpur, Madhubani, in connection with C.R. No. 93/2018 subject to the condition as laid down under Section 438(2) Cr.P.C.

It is further subject to the condition that both the petitioner will abide by the terms and conditions mutually



agreed between them.

(Vinod Kumar Sinha, J)

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