

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21696 of 2019**

Arising Out of PS. Case No.-859 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Piyus Bhadani, S/o Shri Mahendra Bhadani, Resident of Hilsa, P.S.- Hilsa,
District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sawati Kumari @ Sawati Kutriar, W/o Pius Bhadani, D/o Late Bharat Pd.
Presently residing at Mohala- Kurmi Tola, Lallu Babu ka Kucha, P.S.-
Chock, Patna City, District- Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh
For the Opposite Party/s : Mr.Akshay Lal Pandit

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 15-05-2019 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned APP for the State.

The petitioner, being the husband of the complainant,
is apprehending his arrest in a complaint case, wherein process
has been directed to be issued after cognizance being taken for
the offences punishable under Section 498A of the Indian Penal
Code and Section 4 of Dowry Prohibition Act.

The prosecution case as per the complainant is that
her marriage was performed with the petitioner on 29.06.2017,
but subsequently, further dowry demand of Rs.Ten lakhs and a
four wheeler vehicle was made but on non-fulfillment of the
same, the complainant was tortured and ousted from the



matrimonial house.

On the joint prayer of the parties, this Court vide order dated 08.04.2019 referred the matter to the Mediation and Reconciliation Centre of Patna High Court. The report of the Mediator dated 08.05.2019 at Flag 'M' reflects that the issue has been resolved between the parties on the terms of resumption of the conjugal life. The terms of agreement dated 03.05.2019 reads as follows:-

“..... Both parties are present along with their Ld. Counsels. Mediation is settled, both the parties are ready to live with honour & dignity. Wife if ready to live with husband with full liabilities.

Both side family members will not make any interference in their conjugal life.

Petitioner has permitted his wife to talk with her family members only in time to time with respect of her life and security.

Both parties are ready to withdraw the pending cases.

1. Complaint Case No. 859 of 2018, pending before S.D.J.M., Patna City.

2. Matrimonial Case No. 741 of 2018, pending



before Principal Judge, Patna.

Hence, this mediation is successful and put before
the Hon'ble Bench”

Learned counsels for the parties are not disputed the
factum of agreement arrived at between the parties.

In the circumstances indicated above, 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 A.C.J.M., Patna City, Patna in
connection with Complaint Case No. 859 of 2018, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

Either party will be at liberty to file appropriate
application in case of breach of the terms of the agreement.

Let the order be transmitted to the learned Court
below along with the terms of agreement.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

