

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79826 of 2018

Arising Out of PS. Case No.-281 Year-2018 Thana- RAMNAGAR District- West Champaran

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Vinay Ram, S/o Rampati Ram, R/o Rayvari Mahuawa Tola-Bhulahawa, P.S-
Choutarawa, Disrict-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gayatri Devi, W/o Vinayak Ram, D/o Babu Ram Harijan at present R/o-
Arjun Nagar Ward no.6, P.S-Ram Nagar, Distt.-West Champaran.

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 1150 of 2019

Arising Out of PS. Case No.-281 Year-2018 Thana- RAMNAGAR District- West Champaran

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Vinayak Ram, son of Rampati Ram, resident of Village - Rajvari Mahuawa,
Police Station Choutarawa, District West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gayatri Devi Vinayak Ram, Daughter of babu Ram Harijan, at present
residentof Arjun Nagar Ward No. 6.

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 79826 of 2018)

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

(In CRIMINAL MISCELLANEOUS No. 1150 of 2019)

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 01-07-2019 Criminal Misc. No.79826 of 2018 & Criminal Misc.

No.1150 of 2019 arising out of same Police Station.

Case is under Section 498A of IPC. The petitioner in

Criminal Misc. No.79826 of 2018 is brother-in-law (Devar) and

in Criminal Misc. No.1150 of 2019 is husband of the informant.



Both the cases are taken up together by this Court vide order dated 01.03.2019.

On appearance of the opposite party no. 2, the matter was referred to the Patna High Court Mediation & Reconciliation Center, vide order dated 01.03.2019. The report of Mediator is available on record at Flag "A" which disclosed that the dispute between the parties has been resolved and the terms of settlement mutually agreed upon them, which is attached with the mediator's report. The Mediator's report disclosed that both the parties have agreed by divorce with mutual consent on the payment of Rs.10,00,000/- (Rupees Ten Lakhs) to the opposite party no.2 by the petitioner (in Criminal Misc. No.1150 of 2019), the learned court of Principal Judge, Bettiah will allow the opposite party no.2 to withdraw that amount and after withdrawal of that amount, grant decree of divorce with consent and on payment of money to the opposite party no.2, the opposite party no.2 will withdraw her case pending before the S.D.J.M, Bagaha, District West Champaran and with further condition that after passing of the decree of divorce, none of the parties will claim any right against each other.

In such view of the matter, let the petitioners, above



named, surrender before the learned court below by 12.07.2019 and on surrender, the petitioners in both the cases shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bagaha, West Champaran, in connection with Ram Nagar P.S. Case No. 281 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with further condition that both the parties, especially, the petitioner (in Criminal Misc. No.1150 of 2019) shall abide by the conditions of the terms of agreement mutually settled upon them.

Let a copy of Mediator's report along with terms of agreement be sent to the learned court below for needful.

With the aforesaid observations, both the applications are disposed of.

(Vinod Kumar Sinha, J)

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