

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35828 of 2019

Arising Out of PS. Case No.-284 Year-2018 Thana- KATHAIYA District- Muzaffarpur

Jitesh Kumar@Jitesh Kumar Tiwary@Jitesh Tiwary, Son of Not Known,
Resident of Village - Saghanpura, P.S.- Kathaiya, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Kumari, D/o Shambhu Tiwary, Resident of Village - Mirpur, P.s.-
Sahebganj, Distt -Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 18-11-2019 This is an application for grant of anticipatory bail in connection with Kathaiya P. S. Case No. 284 of 2018, disclosing offences under Sections 147, 323, 324, 498A and 377 of the IPC and Section 3/4 of Dowry Prohibition Act.

Case is under Section 498A of IPC.

On appearance of the opposite party no.2, matter was referred to the Patna High Court Mediation and Reconciliation Center, vide order dated 10.06.2019 and the report of mediator is received, which is attached with Flag 'B' which shows that dispute has been settled between the parties on the terms mutually agreed between them and one time final settlement of Rs.4,00,000/-, out of which, petitioner has paid the total amount



by three bank drafts, which has been mentioned in the memorandum of agreement itself.

Learned counsel for the petitioner, who has supported the above facts, but nobody appears on behalf of the opposite party no.2. However, the Mediator's report contains the signatures of opposite party no.2 and his lawyer.

In such view of the matter, let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned S.D.J.M. (West), Muzaffarpur, in connection with Kathaiya P. S. Case No. 284 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that both the parties shall have to abide by the terms and conditions mutually agreed between them and co-operate in each other finally settled the case between the parties.

Let a copy of the mediator's report as well as memorandum of agreement is sent to the learned court below for needful.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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