

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40016 of 2019

Arising Out of PS. Case No.-52 Year-2019 Thana- DIDARGANJ District- Patna

VIKASH RAI @ VIKASH KUMAR S/O Om Prakash Rai Resident of
Village- Nattha Chak, P.S.- Didarganj, District- Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Jolly Devi W/O Vikash Rai @ Vikash Kumar, D/o Sri Sunil Rai Resident of
Village- Raghobpur, Bakhtiyarpur, P.S.- Bakhtiyarpur, Dist.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Ms.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 03-12-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Shorn of the details it would suffice to state that the present matter was referred to Mediation Centre by this Court by an order dated 26.08.2019, pursuant whereof the learned Mediator, Conciliation & Mediation Centre, Patna High Court, Patna, has submitted a report dated 16.10.2019, to which an agreement dated 26.09.2019 entered into between the petitioner and his wife i.e. the opposite party no. 2, has been annexed, terms and conditions of settlement whereof are reproduced herein below:-

*“1. That amicable settlement has been reached
between the parties.*



2. *That parties have decided to live together as husband and wife.*
3. *That husband has accepted the terms put by the wife that he will not vex her and compel her to leave the house of her husband in future. The wife Juli Devi will also live peacefully and regard of with in laws.*
4. *That parties have decided not to peruse the case i.e. case arising out of Didarganj P.S. Case No. 52 of 2019 instituted for offences u/s 341, 325, 498A/504/34 I.P.C. and $\frac{3}{4}$ Dowry Prohibition Act Learned ACJM, V, Patna City and the case will be disposed of in terms of the agreement. The parties will submit the memorandum of agreement where the case is pending and the same.*
5. *That content of this compromise have been read over to the parties and explained in Hindi and they have fully understood the same.”*

The learned counsel for the petitioner and the opposite party no. 2 submit that the petitioner and the opposite party no. 2 are living peacefully as husband and wife in terms of the compromise/agreement entered into between them, hence the petitioner be extended the privilege of anticipatory bail.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on



furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Patna City in connection with Didarganj P.S. Case No. 052 of 2019, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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