

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64152 of 2018**

Arising Out of PS. Case No.-244 Year-2017 Thana- MAHUA District- Vaishali

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Rashmi Ranjan Singh @ Rashmi Ranjan, S/o Prabhakar Singh, Resident of  
Village- Bilandpur, Dumari Raja Pakar, P.S.- Mahua Distt.-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Malay Kumar Choudhary

For the Opposite Party/s : Mr.Dr. Rabindra Kumar

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

7      01-05-2019                      Heard learned counsels for the petitioner, informant  
and the State.

The petitioner, being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 341, 323, 324 and 504/34 of the IPC and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case, as per the written report of Archana Kumari, dated 03.10.2017, submitted to the Station House Officer, Mahua Police Station, is to the effect that the marriage



of the informant was performed with the petitioner on 05.06.2017, but subsequent to the marriage, further demand of dowry of Rs. 10 lacs and a gold chain was made and due to non-fulfillment of the same, torture was inflicted upon the informant by the petitioner and other in-law family members. It is further alleged that all the accused persons got the pregnancy of the informant terminated by administering some medicine and also made an attempt to kill the informant by causing burn injury.

Learned counsel for the petitioner submits that the petitioner admits his marriage with informant.

On the submission of learned counsel for the petitioner that the petitioner is ready to keep the informant as wife with full dignity and honour, vide order dated 01.02.2019, the matter was referred to the Mediation and Conciliation Centre, Patna High Court, but the report of the Mediation Centre, dated 29.03.2019, kept at flag-'P', suggests that the issue could not be resolved through the process of mediation.

An affidavit has been filed on behalf of the petitioner that the parties have resolved the issue in terms of parting ways on payment of one time settlement amount of Rs. 10 lacs and return of different belongings of the informant, as mentioned in paragraph no.4 of the affidavit. It is also agreed that both sides



will file a matrimonial suit seeking decree of divorce on dissolution of marriage under Section 13(B) of the Hindu Marriage Act, before the Principal Judge, Family Court, Vaishali at Hajipur and will file an appropriate application in Mahua P.S. Case No. 244 of 2017 to the effect that the issue has been reconciled between the parties.

Learned counsel for the informant admits the contention of learned counsel for the petitioner with regard to resolution of the issue in terms of parting ways on payment of one time settlement amount and filling of matrimonial suit under Section 13(B) of the Hindu Marriage Act for dissolution of marriage within a period of four weeks. In the circumstances, she is not opposing the prayer for bail of the petitioner.

In the circumstances, out of Rs. 10 lacs, the petitioner is agreed to deposit Rs. 2.50 lacs by way of bank draft in favour of the informant, before furnishing the bail bonds in the Court of learned ACJM, Vaishali at Hajipur, and the said draft will be released in favour of the informant by learned ACJM, Vaishali at Hajipur. The rest amount of Rs. 7.50 lacs will be deposited in the Court of Principal Judge Family Court, Patna in two installments through bank draft in favour of the informant. The first installment of Rs. 3 lacs will be deposited by way of bank



draft within a period of six weeks from today and rest amount of Rs. 4.50 lacs will be deposited by way of bank draft within a period of 18 weeks from today before the learned Principal Judge, Family Court, Vaishali at Hajipur. The draft of first installment of Rs. 3 lacs will be released in favour of the informant on first appearance of both sides and the draft of second installment of Rs. 4.50 lacs will be released on the date of passing of the judgment by learned Principal Judge, Family Court, Vaishali at Hajipur. So far as different belongings of the informant, as mentioned in paragraph no.4 of the affidavit, is concerned, the petitioner agreed to return the same within a period of six weeks.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for seven months in the event of arrest/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 like amount each to the satisfaction of learned ACJM, Vaishali at Hajipur in connection with Mahua P.S. Case No. 244 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

The provisional bail of the petitioner will be



confirmed by the learned Court below on compliance of the  
terms undertaken by the petitioner before this Court.

**(Dinesh Kumar Singh, J)**

Amrendra/-

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