

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57515 of 2019**

Arising Out of PS. Case No.-197 Year-2019 Thana- DURGAWATI District- Kaimur (Bhabua)

Hasib Khan @ Dabalu S/o Jainuddin Khan R/o Village- Karari, P.S.-
Durgawati, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gajala Khatoon W/o Hasib Khan, D/o Late Mojammlil Khan R/o Village-
Karari, P.S.- Durgawati, District- Kaimur (Bhabua).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad
For the Opposite Party/s : Mr.Md. Fahimuddin

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

3 04-12-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection
with Durgawati P.S. Case No. 197 of 2019 for the offence
punishable under Sections 341, 323, 504, 506, 498(a) of the
Indian Penal Code and $\frac{3}{4}$ of D.P. Act.

It appears that the present matter was referred to the
Patna High Court Mediation Centre by an order dated
13.09.2019 and the learned Mediator has submitted a report
dated 17.10.2019, to which an agreement dated 16.10.2019 has
been annexed, wherein the terms and conditions of settlement
have been enumerated and the same are being reproduced herein



below:-

i) Petitioner is ready to give Rs. 3,500/- (Rupees Three thousand Five Hundred) as a maintenance of his children and his wife (Gajala Khatoon).

ii) Petitioner is also ready to give the maintenance amount in the bank account of Gajala Khatoon (Opposite Party No.2) in the second week of every month.

iii) That Opposite Party No.2, Gajala Khatoon, is ready to give her bank account to the petitioner within one week.

iv) Both parties are ready to live together if both are satisfied to each other within one year.

v) Both parties are ready to withdraw their cases which they have filed against each other.

vi) That the above contents of this agreement have been read over before the parties and explained in Hindi in presence of the learned Advocates which have fully understood and accepted there upon.

vii) That in the above terms and conditions a settlement has been arrived at between the parties and both have made their L.T.I./ signed in presence of the learned counsels who have also put their signature on this agreement.”

Having regard to the agreement reached at between the petitioner and the Opposite Party No.2, I deem it fit and



proper to dispose of the present petition by making the order dated 13.09.2019, by which the petitioner was granted provisional bail, absolute, however, subject to the condition that the petitioner would adhere to the terms and conditions, mentioned herein above.

It is made clear that in case the aforesaid terms and conditions, forming part of the agreement dated 16.10.2019, are not adhered to, the present privilege of anticipatory bail being granted to the petitioner shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

The present petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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