

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61816 of 2019

Arising Out of PS. Case No.-78 Year-2017 Thana- MAHILA P.S. District- Bhagalpur

RAJESH THAKUR @ RAJESH KUMAR Son of Bachneshwar Thakur
Resident of Village-Rangra, P.S.-Rangra, District-Bhagalpur at present
residing at Shivpuri Colony, Chhotiline (Chhoti Railway Line), P.S-
Tilkamanjhi, District-Bhagalpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Madhu Thakur Wife of Rajesh Thakur Resident of Village-Rangra, P.S-
Rangra, District-Bhagalpur at present residing at Shivpuri Colony, Chhoti
Railway Line, P.S-Tilkamanjhi, District-Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samrendra Kumar Jha
For the Opposite Party/s : Mr.Pravin Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-11-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection
with Mahial P.S.Case No.78/17 registered for offences
punishable under Sections 323, 341, 498(A), 504/34 of the
Indian Penal Code.

Case is under Section 498A of the IPC. Petitioner happens
to be husband of the informant and there is allegation of demand
and torture as well as ousting her from the house. It appears that
on appearance of the O.P.no.2, the matter was referred to the
Meditation Centre and the report of the Mediator is available at
flag 'X', which discloses that the dispute between the parties



has been resolved thorough process of the mediation on the terms and condition as mutually agreed upon by them that first party Rajesh Thakur is agree to took all the care of his sons aged about 15 years and 11 years and he will keep them in good school and take all responsibility and meal expenses of their children and time to time boys will also visit to their father and their mother .

Heard both sides. They have admitted the above settlement between the parties with respect to the sons but there is nothing mentioned regarding dispute between the parites.

Submission of the learned counsel for the petitioner is that a divorce petition is already pending before the court of the Principal Judge, Family Court, Bhagalpur.

Heard learned APP and the learned counsel for the informant.

Having heard both sides and in view of the facts and circumstances, as stated above, and as there was some development before the mediator this application is disposed of with direction to the petitioner to surrender before the learned court below and on surrender he will be released on bail in connection with Mahila P.S.Case No.78 of 2017 on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two



sureties of the like amount each to the satisfaction of the learned SDJM, Bhagalpur, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

It is expected that O.P.o.2 shall appear before the learned Principal Judge, Family Court, Bhagalpur in the Divorce Suit No.190 of 2019 so that the learned Principal Judge, Family Court, Bhagalpur may take an effort for one time settlement between the parties or to any other amicable settlement.

Let a copy of this order be sent to the learned Principal Judge, Family court, Bhagalpur.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

