

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.771 of 2019

Arising Out of PS. Case No.-1365 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

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Santosh Das @ Santosh Kumar Son of Ramnath Das, Resident of Village -
Amara Tolla, P.S.- Sasaram, District - Rohtas.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Sangita Devi W/o Santosh Das, Resident of Village - Amara Tolla, P.S.-
Sasaram, District- Rohtas, At present resident opf village- Bharati, P.S.-
Wazirganj, District- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Sharma
For the Opposite Party/s	:	Mr. Manish Kumar 2
For O.P. No.2	:	Mr. Ajay Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 19-08-2019 Case is under Section 498A IPC and on appearance of

opposite party No.2 the matter was referred to the Patna High Court

Mediation and Conciliation Centre by order dated 25.3.2019 and

report of Mediator at Flag 'Y' disclosed that parties have resolved the

dispute through the process of mediation in terms of settlement

mutually reached between the parties and it further appears from the

terms of agreement that both the parties are ready to live separately

on the condition that petitioner to pay Rs.1,05,000/- to opposite party

No.2 for one time settlement and a Demand Draft No. 250907 dated

6.8.2019 issued by Punjab National Bank was also handed over to

opposite party No.2 and petitioner has paid Rs.5000/- to opposite

party No.2 in cash.



Both the parties have admitted the above fact. However, learned counsel for opposite party No.2 has submitted that though she has received the Demand Draft but the same has not been encashed or deposited in her account.

In view of above facts and circumstances, the petitioner, in the event of arrest or surrender, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Gaya, in connection with Trial No. 3307 of 2017, arising out of Complaint Case No. 1365 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the court concerned and on further condition of encashment of D.D. and both the parties shall abide by the terms of the agreement mutually reached between them before the Mediator.

Let the copy of report of Mediator along with the memorandum of agreement be sent to the court below for needful.

(Vinod Kumar Sinha, J)

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