

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32909 of 2018

Arising Out of PS. Case No.-41 Year-2017 Thana- MAHILA P.S. District- Nalanda

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Nitesh Kumar Goswami, S/o Naresh Prasad Goswami, R/o Purani Bazar,
Barbigha, P.S.- Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Nitu Kumari, D/o Awdhesh Nath Goswami and W/o Nitesh Kumar Goswami,
At present R/o Vill.- Adarsh Market, Bharavpar, P.S.- Biharsharif, District-
Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jagdhar Prasad
For the Opposite Party/s : Mr.Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

8 13-02-2019 Heard the parties.

This criminal miscellaneous application has been preferred, under Section 482 of the Code of Criminal Procedure for quashing the order dated 06.03.2018 passed by the learned Sub-Divisional Judicial Magistrate, Nalanda at Biharsharif in connection with Mahila Police Station Case No.41 of 2017, corresponding to G.R. No.920 of 2017.

In pursuance of order dated 01.11.2018, the parties were sent to the Patna High Court Mediation Centre. The report of the Mediator reveals that the parties have entered into compromise in terms of settlement disclosed in the report. Both sides have signed on the compromise.



A Draft of Rs.9,00,000/- (Rupees Nine Lacs) as final alimony has already been paid by the petitioner to opposite party No.2, *Nitu Kumari*, the wife of the petitioner.

In view of compromise, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Mahila Police Station Case No.41 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

On the date of furnishing the bail bond, the parties shall file compromise petition in the light of terms and conditions of settlement before the Mediation Centre.

(Birendra Kumar, J)

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