

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2556 of 2019

Arising Out of PS. Case No.-160 Year-2018 Thana- BIHIA District- Bhojpur

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Pramod Thakur son of Vikrama Thakur R/O Village- Khutukpur, P.O.-
Kutubpur Ujiyar, P.S.- Narhi, District- Baliya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Kumari Pramod Thakur D/O Kamlesh Thakur R/O Village-
Panchwati Nagar, Raja Bazar, P.O. and P.S.- Bihiya, District- Bhojpur
3. Mamta Kumari Pramod Thakur D/o Kamlesh Thakur Resident of Village-
Panchwati Nagar, Raja Bazar, P.O and P.S.-Bihiya, Dist.-Bhojpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Usha Rai

For the Opposite Party/s : Mr.Sanjay Kumar Singh(App193)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-05-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Bihiya P.S.Case no.160 of 2018 , registered for offences punishable under Sections 323, 498A of the Indian Penal Code and Sections 34 of the D.P.Act.

This case is under Section 498A of the IPC and earlier the matter was sent to the Mediation Committee , vide order dated 22.2.2019 and the mediator report is available at flag 'M', which shows that the dispute between the parties has been resolved through the processes of the mediation on the terms of the settlement mutually agreed upon , and , the learned counsel for



the petitioner has submitted that he is ready to keep her , however, the learned counsel for the O.P.no.2 has submitted that she apprehends torture at the hands of the petitioner.

Heard learned A.P.P. and from perusal of mediator report, it appears that both the parties are ready to continue their conjugal right forgetting the past and the petitioner, who is husband is ready to keep her .

In such view of the matter, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail 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 CJM, Bhojpur at Ara in connection with Bihiya P.S.Case No.160 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that the petitioner will abide by the terms and conditions as agreed before the mediator.

Let a copy of the mediator report along with the memorandum of the agreement be sent to the learned court below.



With the aforesaid direction, this application is
allowed.

(Vinod Kumar Sinha, J)

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