

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59802 of 2019

Arising Out of PS. Case No.-754 Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Rajeev Kumar Das Son of Saudagar Das Resident of Village - Mirjapur
Chand, P.S.- Barauni, District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sonam Kumari Wife of Rajeev Kumar Das Resident of Village - Mirjapur
Chand, P.S.- Barauni, District- Begusarai. At present residing at Village-
Bhawanandpur, P.S.- Birpur, District- Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra
For the Opposite Party/s : Mr.Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 12-06-2020 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State as well as learned

counsel for the informant.

Petitioner is apprehending arrest in connection with

Complaint Case No. 754 of 2018 for the offence under sections

498(A) of the Indian Penal Code and Section 3/4 of Dowry

Prohibition Act.

Learned counsel for the petitioner submits that

petitioner has no criminal antecedent.

The matter was referred to the mediation centre. From

the report dated 6.2.2020, it appears that the dispute has been

resolved and the parties have entered into a written



understanding. Written understanding duly signed by the parties is enclosed with the mediation report.

The terms and condition of the agreement between the parties is quoted below:

“1. That both the parties are ready to live together as husband and wife.

2. That the petitioner is ready to keep his wife alongwith children with full dignity.

3. That the husband i.e. petitioner agree to keep his wife with full honour and dignity. He also assured that he will fulfill all requirements to his wife as per his income.

4. Both the parties are agreed upon to withdraw the cases filed against each other due to family dispute i.e. Town P.S. Case No. 563 of 2018, Maintenance Case No. 48 of 2018, Complaint Case No. 1795 © of 2018, Complaint Case No. 120 of 2019 filed by Aunt of the petitioner, Divorce Case No. 27 of 2019 or Compromise before the court below on the basis of this Memorandum of Agreement.

5. That the petitioner is ready to deposit 2000/- (Rupees Two Thousand) per month in account of her wife account bearing No. 27390100006419 Bank of Baroda, which will be withdrawn with consent of her husband.

6. That the aforesaid contents of the agreement have been read over and explained into Hindi, which have fully been understood and accepted by the parties.

Hence, in the above terms and conditions a settlement has been arrived between the parties and both have signed and put their signature on the agreement.”

Considering the mutual understanding between the parties, the Court is inclined to grant anticipatory bail to the



petitioner, let the petitioner, named above, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged 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 learned Sub Divisional Judicial Magistrate, Begusarai, in connection with Complaint Case No. 754 of 2018 subject to the condition as laid down under section 438(2) of the Cr.P.C.

The parties are directed to adhere to the mutually agreed terms and condition strictly as incorporated hereinabove.

With the aforesaid, the application stands disposed of.

(Anil Kumar Upadhyay, J)

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