

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32613 of 2019**

Arising Out of PS. Case No.-97 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Vicky Jaiswal @ Vicky Kumar @ Vikky Kumar, Age 26 years, Gender Male,
Son of Bachababu Jaiswal, Resident of Village Sharfuddinpur, P.S. Bochaha,
Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Aarti Jaiswal @ Aarti Jayswal @ Vimal, Age 22 years, Gender Female, Wife
of Vicky Jaiswal, Daughter of Bhagwan Prasad Jaiswal, Presently Resident
of Village Bhagwanpur, Post Gheghwa, P.S. Madhuban, District East
Champaran at Motihari, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikash Kumar Pankaj
For the Opposite Party/s : Mr. Binod Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

6 24-02-2021 Heard the learned counsel for the petitioner, the
learned Additional P.P. and the learned counsel appearing on
behalf of the complainant.

The petitioner apprehends his arrest in Complaint
Case No.97(C) of 2018 for the offences allegedly committed by
the petitioner under Section 498A of the Indian Penal Code and
under Sections 3/4 of the Dowry Prohibition Act.

From the order dated 13.08.2019, it appears that on
the request of the husband and the wife, the matter was referred
to Mediation Centre, Patna High Court, Patna for resolution of
the dispute between the husband and the wife.

It is submitted at the bar that both the parties agreed
for one time settlement. The husband agreed to pay
Rs.5,00,000/- to the wife. Rs.50,000/- has already been paid to



the wife-complainant. The husband undertakes to pay remaining Rs.4,50,000/- within five months from today.

Learned counsel for the complainant prays that a direction be issued to pay the remaining amount within less period.

Taking into consideration the facts and the fact that both the husband and the wife have agreed to part with each other after payment of Rs.5,00,000/- out of which Rs.50,000/- has already been paid, the petitioner, namely, Vicky Jaiswal @ Vicky Kumar @ Vikky Kumar in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sadar at Motihari in connection with Complaint Case No.97(C) of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

It is further directed that the husband shall pay the remaining amount, i.e., Rs.4,50,000/- through Demand Draft to his wife within five months from the date of receipt of this order, failing which the learned court below shall cancel the bail bond of the petitioner immediately thereafter.

(Prabhat Kumar Jha, J)

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