

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42302 of 2019

Arising Out of PS. Case No.-157 Year-2018 Thana- WAJIRGANJ District- Gaya

SARWAN KUMAR, Son of Late Ramji Yadav Resident of Village-Kajichak,
Police Station-Magadh Medical, District-Gaya.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Pushpa Devi, Daughter of Suresh Prasad Resident of Village-Dakhingaon,
Police Station-Wazirganj, District-Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2
For the Opposite Party/s : Mr. Akbar Ali

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

8 14-09-2021 Mr. Manish Kumar No. 2, learned advocate for the petitioner and Mr. Sanjay Kumar Sharma, learned advocate for Opposite Party No. 2 have stated before this Court that pursuant to the settlement arrived at in the Mediation Centre, Rs. 3,50,000/- (three lakhs and fifty thousand) only has already been paid to the Opposite Party No. 2 and a cheque bearing No. 743167 dated 09.09.2021 of the balance amount of Rs. 5,00,000/- (five lakhs) only is being handed over to the counsel for Opposite Party No. 2.

In view of such statement of the counsel for the



parties, the provisional bail granted to the petitioner is hereby confirmed. He shall remain on the same bail-bonds.

However, it is made clear that the cheque amount so received by the counsel for the Opposite Party No. 2 be immediately transmitted to her so that it can be deposited in the Bank. In case of non-encashment of the aforesaid cheque on any ground, it would be open for the Opposite Party No. 2 to file an application for cancellation of bail of the petitioner.

Since the aforesaid payment has been made pursuant to a settlement with the condition that the Opposite Party No. 2 shall withdraw the criminal case against the petitioner, that commitment also should be fulfilled as expeditiously as possible.

This Court has also been informed that the parties have filed a joint application for mutual divorce. It is expected that the parties shall ensure that a decree is passed so that both of them live their independent



lives with clean slate.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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