

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8095 of 2022

Arising Out of PS. Case No.-1184 Year-2019 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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SANJAY PASWAN Son of Late Muneshwar Paswan Resident of Village -
Kosuk , P.s.- Deep Nagar, Distt.- Nalanda. at present resident of Bhabua,
Police Line, P.s.- Bhabua, Dist.- Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anupama Kumari @ Seema Kumari W/o Sanjay Paswan Resident of Village
- Kosuk, P.S.- Deep Nagar, Distt.- Nalanda, at Present resident of Durgawati
Bazar C/o Jagdish yadav P.s.- Durgawati, Distt.- Kaimur , Bhabua.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Anil Kumar Singh, Advocate
For the State	:	Mr.Suman Kumari Singh, APP
For opposite party No.2	:	Mr.Ashok Kumar Kashyap, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-03-2022 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No.2.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of eight
weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 498(A) of the Indian Penal Code.

A joint affidavit has been filed on behalf of the
petitioner and the opposite party No.2. Same be kept on the
record.



On behalf of the parties, it has been submitted that the parties have settled the issue outside the court. The terms of settlement is as follows :

“3. That it is worth while to mention here that the husband is ready to pay Rs.7,00,000/- (Seven Lakhs Rupees) to his wife complainant (opposite party No.2) as one time settlement and the complainant (wife) ready to receive the said amount i.e. Rs.7,00,000/- (Rupees Seven Lakhs).

4. That the both parties are ready to file application for withdrawal of the cases which are pending before the court concerned i.e. Learned Judicial Court and Family Court.

5. That the both parties are ready to obtain decree of divorce mutually by the competent court i.e. Principal Judge Family Court, where the divorce case is pending and both parties undertakes to make all endeavors for early disposal of the divorce case.

6. That the petitioner will ready to return the motor cycle bearing No. as BR21L-4307 to the complainant.

7. That the petitioner will pay Rs.2,00,000/- (Rs. Two Lakh) to the Opposite Party No.2 (complainant) at the time of signed the said Affidavit before the Hon'ble Court.

8. That the petitioner will pay Rs.2,00,000/- (Rs. Two Lakh) to the complainant at the time of filing of withdrawal application before the



Learned court below where the cases are pending.

9. That the petitioner will pay Rs.1,50,000/- (Rs. One Lakh and Fifty Thousand) at the time of 1st motion before the court of Principal Judge, Family Court where the Divorce case is pending to the complainant.

10. That the petitioner will pay rest amount of Rs.1,50,000/- (Rs. One Lakh and Fifty Thousand) at the time of final order/decreed of divorce case by the court of Principal Judge, Family Court.”

Considering the fact that the parties have already arrived to a settlement, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Ms. Shikha Kumari, Judicial Magistrate, 1st class, Kaimur in connection with Complaint case No.1184 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If any application is made before the court below for dropping the prosecution, the court below shall consider the fact



that the parties have already come to a settlement and pass an appropriate order in accordance with law in the interest of justice.

(Sudhir Singh, J)

Narendra/-

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