

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6578 of 2020

Arising Out of PS. Case No.-279 Year-2019 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Abnish Kumar Singh, S/o Yugal Kishor Singh, R/o Village Adauri, P.S.
Purnahiya, District Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Manisha Rani, D/o Awadhesh Thakur, R/o Village Bhandari, P.S. Belsand,
District Sitamarhi, W/o Abnish Kumar Singh, R/o Village Adauri, P.S.
Purnahiya, District Sheohar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dinesh Jha
For the Opposite Party/s	:	Mr. Tarkeshwar Nath Thakur
		Mr. Alok Kumar Alok
		Mr. Santosh Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

9 18-01-2022 Heard learned counsel for the parties through virtual
court proceedings.

The petitioner apprehends his arrest in Complaint
Case No. C1/279/19 registered for the offences punishable
under Sections 323, 379, 498(A) of the Indian Penal Code and
Sections 3/4 of the Dowry Prohibition Act.

The petitioner and other family members are said to
have tortured O.P. No.2 for non-fulfillment of demand of
additional dowry. It is also alleged that O.P. No.2 was ousted
from her matrimonial home after snatching her belongings.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. There is general and omnibus allegation against the petitioner.

By order dated 01.11.2021, the matter was referred to the Mediation Centre, Patna High Court, Patna and the parties were to appear before the Mediation Centre for resolution of the disputes. From perusal of the report sent by the Mediation Centre, Patna High Court, Patna it appears that both the parties agreed to resolve the disputes at Rs.3,60,000/- (Rupees Three Lakh Sixty Thousand) as one time settlement. Out of this settlement amount, the parties also agreed to fix Rs.2,00,000/- (Rupees Two Lakhs only) in the name of their child and remaining amount, i.e., Rs.1,60,000/- (Rupees One Lakh Sixty Thousand) shall be given to O.P. No.2. The parties further agreed that after this one time settlement, they will withdraw all the civil/criminal cases, if any, filed against each other except the divorce matter.

Learned counsel appearing on behalf of O.P. No.2 submits that O.P. No.2 is now not ready to accept Rs.3,60,000/- and she demands Rs.5,00,000/- (Rupees Five Lakhs).

Considering the fact that firstly both sides agreed to resolve their dispute through one time settlement and thereafter



O.P. No.2 is not ready to receive the amount agreed between the parties during mediation process, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Sitamarhi in connection with Complaint Case No. C1/279/19, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, either of the parties will be at liberty to make an application before the learned court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Anjani Kumar Sharan, J.)

Sanjay/-

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