

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50605 of 2021

Arising Out of PS. Case No.-115 Year-2020 Thana- MAHILA P.S. District- Patna

Nikhil Ranjan son of Nawal Kishore Prasad, resident of Mohalla- Shiv Nagar, Post Mortem Road, Police Station- Nawada, District- Nawada. At present Resident of Mohalla- Vijay Nagar in front of Kumar Ortho Hospital, P.S.- Patrakar Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sonam Kumari W/o Nikil Ranjan, D/o Bachchu Prasad Resident of Village- Amardeep Nagar West Ram Krishna Nagar, Police Station- Ram Kirishna Nagar, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudish Kumar
For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 25-04-2022 Heard learned counsel for the petitioner,

informant and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 498(A)/34 of the Indian Penal Code and Section 3/ 4 of the Dowry Prohibition Act.

The accusation against the petitioner is of torture for non-fulfillment of dowry demand and ousting the informant from her matrimonial house.



The petitioner is husband of the informant.

With consent of both the parties, the matter was referred to the Mediation & Conciliation Centre of the Patna High Court.

The report of the Mediator is at Flag-M which suggests that petitioner and the informant have decided to part ways. Both sides agreed that a sum of Rs. 26,00,000/-(Rupees Twenty Six Lakhs) will be paid by the petitioner to the informant as one time settlement. The petitioner has agreed to pay Rs. 10,00,000 (Rupees Ten Lakhs) at the time of presenting the petition under Section 13 (B) of the Hindu Marriage Act for dissolution of marriage with mutual consent and Rs. 10,00,000/- (Rupees Ten Lakhs) will be paid by the petitioner at the time of final order being passed in the divorce case. The petitioner also agreed to pay Rs. 6,00,000/- at the time of hearing the bail petition before this Hon'ble Court. Both sides also agreed to withdraw the cases filed against each other.



In pursuance to the direction given by the Mediator, a demand draft of Rs. 6,00,000/- bearing D.D No. 598839 dated 20.04.2022 drawn in favour of informant Sonam Kumari issued by the Bank of Baroda, Hanman Nagar Branch, Vijay Nagar Road, Patna is being handed over by the learned counsel for the petitioner to Mr. Ranjeet Kumar Singh, learned counsel appearing on behalf of the informant.

The petitioner undertakes that he shall comply the directions given by the Mediator with regard to rest of the amounts payable to the informant as per settlement made between the parties.

The informant also undertakes to take steps to withdraw the cases filed against the petitioner and file a petition under Section 13(B) of the Hindu Marriage Act for dissolution of Marriage between the parties as early as possible.

Considering the fact that both sides have amicably decided to settle the dispute and steps have



been taken to finally resolve the dispute between the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Patna in connection with Mahila P.S. Case No. 115 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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