

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17484 of 2020

Arising Out of PS. Case No.-794 Year-2019 Thana- MADHAURAH District- Saran

=====

RANJAN KUMAR SINGH @ RANJAN SINGH S/o Sri Dinesh Kumar Singh @ Dinesh Singh Permanent resident of Village- Nautan, P.S.- Marhowrah, Distt- Saran at Chhapra.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Punam Singh D/o Sri Dayal Saran Singh Resident of Village- Sri Pal Basant, P.S.- Garakha, Distt- Saran

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Amrit Anand, Adv.
		Mr. Kumar Kaushlendra, Adv.
For the Opposite Party/s :		Mr. Mukeshwar Dayal, APP.
		Mr. Rakesh Kumar, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

10 19-05-2023 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the opposite party no.2.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498 (A) of the Indian Penal Code and $\frac{3}{4}$ of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that the dispute between the parties has been resolved through the process of mediation and the detailed terms of settlement is enclosed in the mediation report, kept at Flag 'W' of the bail application. He submits that he will abide the terms of Memorandum of Agreement prepared before Patna High Court



Mediation Centre and this agreement shall be full and final settlement.

4. He further submits that petitioner is ready to pay Rs. 18,00,000/- (Rupees Eighteen Lacs) through RTGS in the account of O.P. No.2 bearing Account No. 1307000100229708 IFSC Code-PUNB0130700 of Punjab National Bank as per Mediation Proceeding Report dated 12.04.2023. He further submits that petitioner is not in a position to pay the entire amount at one time, therefore, he prays to pay the settlement amount in eight installments, which is also not opposed by the counsel for Opposite Party No.2.

5. He lastly submits that petitioner will abide the terms and conditions of Memorandum of Agreement. Although, it is not mentioned in the Memorandum of Agreement regarding the mutual divorce he prays at Bar to direct both parties to file a divorce petition with mutual consent in the learned concerned Family Court.

6. The counsel for O.P. No.2 submits that she has no objection in filing a divorce petition with mutual consent and she is also ready to receive the settlement amount in eight installments.

7. Having regard to the facts and circumstances of the



case as well as the fact that both parties are agreed to file a divorce petition with mutual consent before the concerned Family Court, let the above named petitioner, be released on **provisional bail**, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Marhowrah P.S. Case No. 794 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

8. As prayed by the petitioner to pay the settlement amount in eight installments, the first installment i.e., Rs. 2,25,000/- shall be paid to O.P. No.2 at the time of filing the divorce petition and the last installment shall be paid to the O.P. No. 2 when the final order will be passed in the divorce case and the remaining six installments shall be paid to O.P. no. 2 at regular monthly intervals.

9. The divorce petition with mutual consent must be filed before the concerned Family Court in the last week of June 2023 and the concerned Family Court is directed to dispose the said petition at the earliest.



10. Both parties are directed to withdraw all civil and criminal cases filed against each other as per the terms and conditions of Memorandum of Agreement agreed by the parties at the Patna High Court Mediation Centre.

11. The learned court below shall confirm the provisional bail of the petitioner after verifying the fact that petitioner has paid Rs. 18 lacs to O.P. No.2.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

