

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35479 of 2023

Arising Out of PS. Case No.-66 Year-2022 Thana- FATUA District- Patna

Sidharth Ranjan, aged about 32 years, Male, Son of Satya Prakash Ranjan,
Resident of Mohalla- Buddu Chak, Police Station- Fatuha, District- Patna.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Raj Krishna Jha, Advocate.
For the informant	:	Mr. Kumar Manglam, Advocate
For the State	:	Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner, learned counsel
for the informant and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 341, 323, 354(B), 498(A),
504, 506, 379 & 34 of the I.P.C. and Section 3/4 of the D.P. Act.

Allegation against the petitioner is of committing
torture upon the victim due to non-fulfilment of demand of
dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioner. The petitioner has falsely been implicated
in the present case due to petty family dispute. The petitioner is



the husband of the victim. The case is triable by the Magistrate. The petitioner has further relied upon the judgment of this Court in the case of *Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182*. It would be relevant to point out that the matter was mediated by the District Mediation Center and a copy of the report of the Mediator with the terms of settlement is at Annexure-4 to the main bail application. Both the parties are present before this Court. Learned counsel for the petitioner admits that he is ready to comply with the terms of settlement. Learned counsel for the informant submits that he has no objection if the petitioner complies with the terms of settlement which had been arrived before the District Mediation Center. The following are the terms of settlement dated 30.11.2022:

“BEFORE THE COURT OF Addl. Sessions Judge-II, Patna City

Case No. A.B.P. No. 1322/22

Sri Sidharth Ranjan ----- PETITIONER

Vs.

Smt. Munita Kumari ----- RESPONDENT

MEMORANDUM OF SETTLEMENT UNDER SECTION 89 OF C.P.C. READ WITH RULES 24 AND 25 OF THE BIHAR CIVIL PROCEDURE (MEDIATION) RULES, 2008.

The parties above named beg to submit as follows:-

The aforesaid case was referred to mediation for resolving the dispute between the parties. In the course of mediation, they have resolved their dispute and have agreed to the following terms and condition:



- i. That the petitioner/husband has returned all the articles to the opposite party/wife which was taken at the time of his marriage as gift and the opposite party already received all the articles on 14.11.2022 from the house of the petitioner.
- ii. That the husband/petitioner is also ready to give one time settlement (alimony) amount to his wife (opposite party) of Rupees 5,11,000/-in three installments.
- iii. The first installment amount of Rupees 2,00,000/- will be paid by the husband/petitioner at the time of granting bail in connection with the aforesaid Fatuha P.S. Case No. 66/22.
- iv. The second installment of Alimony of Rupees 1,50,000/- will be paid by the petitioner at the time of final statement in mutual Divorce Case u/s 13(B).
- v. The third and final installment of Rupees 1,61,000/- will be paid by the petitioner to the opposite party when all cases will be withdrawn by opposite party.
- vi. That both parties agreed not to claim anything after final disposal of every case.

Sd/- Mediation Centre
DLSA, Patna

Sd/-Ajay Kumar Mishra
Mediator, 30.11.22.

Sd/- Sidharth Ranjan Sd/- Kumar Rakesh Chandra
Advocate of the petitioner. Advocate for the Informant.”
Sd/-Binod Kumar, Advocate

On behalf of the learned counsel for the State and learned counsel for the informant, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Patna City, in connection with Fatuha P.S. Case No. 66 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Further, learned counsel for the petitioner is directed to comply with the terms of settlement within a period of six months from the date of receipt/production of a copy of this order. If the petitioner fails to do so, the learned court below will be at liberty to cancel the bail bonds of the petitioner.

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(Sudhir Singh, J)

