

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 35807 of 2024

Arising Out of PS. Case No.-516 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Ganesh Tiwari Son Of Late Basisth Tiwari Resident Of Village -SURWARE
Ke Baradhi, Police Station - Dinara , District Rohtas at Sasaram

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nidhi Kumari @ Ankita D/O Manoj Upadhaya R/O Village- Ahiwas,
Mathiya, P.O.- Upari, P.S.- Ramgadh, Dist- Kaimur At Bhabhua At Present
R/O - Village- Parsathua, P.S.- Parsathua, Dist- Rohtas At Sasaram

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Adv.

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP
Mr. Surendra Kumar Choubey, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 01-10-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for opposite party no. 2.

2. The petitioner, husband of opposite party no. 2,
apprehends his arrest in a complaint case punishable for the
offence under Sections 323, 341, 498A of the Indian Penal Code
and Section 3, 4 of the Dowry Prohibition Act.

3. At the outset, learned counsel for both the parties
submit that the dispute between the parties has been settled
amicably through the process of mediation and both parties have
agreed to live separately and for this, the petitioner offered to
pay **Rs. 1,20,000/-** (Rupees one lac twenty thousand) in two
installments, as full and final settlement amount and opposite
party no. 2 accepted the offer and gave her consent.



4. Here, it is relevant to mention that earlier, with consent of the parties, the matter was referred to Mediation & Conciliation Centre of Patna High Court to explore the possibility of settlement between the parties, which has been resolved in terms of Memorandum of Agreement annexed with Mediator’s report.

5. Considering the fact that dispute between the parties has been resolved, the prayer for anticipatory bail of petitioner is allowed.

6. Let the petitioner, as named above, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of **Rs.10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Rohtas at Sasaram in connection with Complaint Case No. 516 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that ***petitioner shall abide by all the terms & conditions, mentioned in Memorandum of Agreement, failing which, the Court below would be at liberty to cancel the bail-bond of the petitioner.***

(Prabhat Kumar Singh, J)

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