

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54266 of 2024

Arising Out of PS. Case No.-1105 Year-2019 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Tarkeshwar Prasad, Son of Umesh Chaudhari, Resident Of Village -
Malkauniya, P.S. - Dhaka, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Archana Khardwal, Wife of Tarkeshwar Prasad, Daughter Of Late Anand Prakash Resident Of Ward No. 1, Purani Bazar, Narkatiyaganj, P.S. - Shikarpur, District - East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Niranjana Kumar, Advocate Mr. Subham Singh, Advocate Mr. Bipin Yadav, Advocate
For the Opposite Party/s :		Mr. Anil Kumar, APP
For O.P. No.2	:	Mr. Lal Babu Singh, Advocate Mr. Shivam, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 20-11-2024 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the O.P.

No.2/complainant.

2. The petitioner apprehends his arrest in connection

with Complaint Case No.1105 of 2019 instituted under Section

498A of the Indian Penal Code.

3. As per complaint case, the marriage of the

complainant was solemnized with the petitioner on 29.11.2015

and the allegation against the petitioner is that he used to torture

the complainant for demand of dowry.



4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He further submits that the complainant herself does not want to live conjugal life with petitioner and she herself went to her maternal house and filed this complaint. During the mediation proceeding, both the parties have settled their dispute with the terms and conditions stipulated in the memorandum of agreement dated 11.11.2024 and petitioner had also given the demand draft of Rs.2,00,000/- (Rupees Two Lakhs Only) *vide* D.D. No.532592 to the learned counsel for the complainant(O.P. No.2). The petitioner has no criminal antecedent and he is ready to comply the terms and conditions of the said memorandum of agreement.

5. Learned A.P.P. for the State and learned counsel for the O.P. No.2/complainant submit that both the parties have settled their dispute *vide* memorandum of agreement dated 11.11.2024.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount to each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, West Champaran at Bettiah / Concerned Trial Court in connection with Complaint Case No.1105 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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