

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54844 of 2023

Arising Out of PS. Case No.-10 Year-2023 Thana- NASRIGANJ District- Rohtas

Rajesh Kumar Tiwary S/O Amarnath Tiwary @ Jagarnath Tiwary R/O House No. L-4/1, Road No. 21, P.S- Sidgdora, Distt.- Singhbhoom,(Jharkhand), Permanenet Address Is Of Village- Shankarpur, P.S- Nasriganj, Distt.- Rohtas(Bihar).

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Chanchal Kumari D/O Birendra Kumar Dubey, W/O Rajesh Kumar Tiwary R/O Village- Tilsa, P.S- Nasriganj, Distt.- Rohtas(Bihar).

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Dhanendra Chaubey
For the Opposite Party/s :	Mrs.Sangeeta Sharma
	Mr.Surendra Kumar Singh
	Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8 30-04-2024 Heard learned counsel for the parties.

2. The petitioner, husband of opposite party no. 2, apprehends his arrest in a case registered for the offence under Sections 341, 323, 498-A and 34 of the Indian Penal Code and Section 3, 4 of the Dowry Prohibition Act.

3. Earlier, vide order dated 19.12.2023, the matter was referred to the Mediation & Conciliation Centre of Patna High Court to explore the possibility of settlement between the parties and vide report dated 13.03.2024, the Mediator has reported that the dispute between the parties has been resolved amicably through the process of mediation and both parties have agreed to live separately and take divorce from the competent court. They have also agreed to settle the matter on one time settlement of



Rs. 8 lacs, out of which, a cheque of Rs. 3 lacs has already been handed over to opposite party no. 2 and rest 5 lacs shall be deposited by petitioner in two installment. Besides this, both parties will withdraw their cases. These facts have been mentioned in Memorandum of Agreement dated 06.03.2024 attached with Mediator's report (flag 'M').

4. In view of aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the petitioner, as named above, 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., Bikramganj, District – Rohtas in connection with Nasriganj P.S. Case No. 10 of 2023, 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 dated 06.03.2024 before the Mediation Centre, failing which, learned Court below shall be at liberty to cancel the bail-bond of the petitioner.*

(Prabhat Kumar Singh, J)

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