

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63650 of 2023

Arising Out of PS. Case No.-1882 Year-2015 Thana- PATNA COMPLAINT CASE District-
Patna

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GURIYA DEVI W/O SATISH RAVIDAS RESIDENT OF MOHALLA-
EAST LOHANIPUR, JAI PRAKASH LANE, P.S- KADAM KUAN,
DISTT.- PATNA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SANTOSH RAVIDAS, SON OF LATE SUGREEV RAVIDAS, R/O-
SALIMPUR AHRA, PS- GANDHI MAIDA, DIST-PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gauri Shankar Prasad, Advocate
For the Opposite Party/s : Ms.Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 5 01-03-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. The petitioner filed the present application for
cancellation of anticipatory bail on the ground of violation of
condition of bail by the opposite party no. 2. The opposite party
no. 2 was granted bail by this Court vide order dated
27.09.2019, passed in Cr. Misc. no. 16404 of 2019, for the
offence punishable under Sections 498-A/323/34 of the Indian
Penal Code and Section 4 of D.P. Act, which is subject to the
condition that the parties shall abide by the terms and conditions
of the Memorandum of Agreement dated 25.09.2019, arrived at
by them, before the learned Mediator.



3. As per the Memorandum of Agreement dated 25.09.2019, the opposite party no. 2 was required to pay the petitioner, a sum of Rs. 10 lacs by way of final settlement, out of which, opposite party no. 2 has paid Rs. 2 lacs at the time of signing of the agreement and a sum of Rs. 3 lacs has been paid subsequently, by the petitioner to the opposite party no. 2, which has been acknowledged by the petitioner, appearing in person, before this Court today.

4. Opposite party no. 2 has produced a Demand Draft of Rs. 3 lacs, payable in the name of petitioner bearing Draft no. 729715 dated 19.02.2024, which is being handed over to the learned counsel for the petitioner for handing it over to the petitioner, who is present in Court with proper receipt. Altogether, Rs. 8 lacs has been paid as on date by opposite party no. 2 to the petitioner.

5. Learned counsel for opposite party no. 2 submits that remaining amount of Rs. 2 lacs shall be paid by Demand Draft at the time of filing of divorce petition by mutual consent under Section 13(B) of the Hindu Marriage Act, 1955, before the learned Additional Principal Judge, Family Court, Patna.

6. Having heard learned counsel for the parties, I deem it fit and proper to direct both husband and wife to file a



petition for divorce on the ground of mutual consent before the learned Additional Principal Judge, Family Court, Patna on 11.03.2024. At the time of filing the diovrce petition, remaining amount of Rs. 2 lacs shall be paid to the petitioner by the opposite party no. 2, by way of Demand Ddraft.

7. With the aforesaid observation, this application is disposed.

(Anil Kumar Sinha, J)

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