

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56683 of 2023

Arising Out of PS. Case No.-25 Year-2023 Thana- MAHILA P.S. District- Bhagalpur

Akshy Kumar son of Shashi Bhushan Prasad Sinha village- Bhadas Utri Ps-
Muffasil Dist- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Juli Kumari son of Akshy KUMar, D/o- Kamleshwari Singh village- Bhadas Utri Ps- Muffasil Dist- Khagaria P/A- Village- Jhandapur Ps- Bihpur Dist- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Kumar, Adv.
For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 06-05-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State along with learned counsel appearing on
behalf of the O.P. No.2.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 498(A),
504, 506 of the Indian Penal Code and Section 3 and 4 of the
D.P. Act.

3. The petitioner and the O.P. No.2 in compliance of
the order dated 30.04.2024 are present in Court along with their
respective learned counsels.

4. Learned counsel for the parties jointly submitted
that the case was referred for mediation and the dispute in



between the petitioner and the O.P No.2 was resolved amicably by way of one time settlement at Rs. 2 lacs.

5. The learned counsel for the petitioner submits that a draft of Rs. 2 lakh dated 03.05.2024, drawn in favour of the O.P. No.2, is being handed over to the O.P. No.2, in person, in the Court itself and a photo copy of the draft is also being submitted, which is taken on record. The O.P. No.2 accepts the draft and submits that after the draft is encashed, she will withdraw the instant case against the petitioner and the petitioner also submits that he will also withdraw all the criminal cases filed against the O.P. No.2 and her side. It is next jointly submitted by the petitioner and the O.P. No.2 that they will also file an application seeking divorce by mutual consent after withdrawing the earlier application filed in the court of learned Principal Judge, Family Court, Khagaria, seeking to declare the marriage in between the petitioner and the O.P. No.2 to be a nullity.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.1000/- (Rupees



One Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Naugachia Mahila P.S. Case No.25/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. At this stage, the petitioner and the O.P. No.2 jointly submits that all the cases would be withdrawn and an application seeking divorce by mutual consent would be filed within a period of one month from today including withdrawal of the application seeking to declare the marriage a nullity.

(Satyavrat Verma, J)

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