

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61830 of 2024

In
CRIMINAL MISCELLANEOUS No.70921 of 2022

Arising Out of PS. Case No.-557 Year-2021 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Devendrda Kumar Chaudhary S/o- Jagdish Chaudhary Village- Belhari Post
Office -Bamhaur Police Station-Mohania District- Kaimur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arpana Kumari Wife of Devendra Kumar Chaudhary, D/o- Raza Ram Chaudhary Village- Banauli Ps- Chenari Dist- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 19-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The present application has been filed for modification of order dated 30.10.2023 passed in Cr. Misc. No. 70921 of 2022 by which the petitioner was granted anticipatory bail in light of terms and conditions of the agreement dated 19.09.2023 executed before the Patna High Court Mediation Centre in which the petitioner was agreed to settle the dispute with the Opposite Party No. 2 by way of one time settlement/alimony of Rs. 1,50,000/- in three installments and accordingly, the petitioner has already paid Rs. 50,000 to the Opposite Party No. 2 as first installment and rest of the amount i.e., Rs. 1,00,000 in two



installments has to be paid in Bank draft.

3. It is submitted on behalf of the learned counsel for the petitioner that the Opposite Party No. 2 may be directed to refund Rs. 50,0000/- as was paid to the Opposite Party No. 2 as first installment and also allow the petitioner not to pay the rest amount i.e., Rs. 1,00,000 to the Opposite Party No. 2 till final disposal of this case as Opposite Party No. 2 has suppressed the material facts before the Patna High Court Mediation Centre that she had already performed the marriage with one Vikash Kumar Chaudhary Son of Ganesh Chaudhary, resident of field Quarry Subash Nagar ward no. 4, P.S.- Bermo, District- Bokaro (Jharkhand) dated 15.03.2023 that is much prior to the execution of agreement dated 19.09.2023 before Patna High Court Mediation Centre.

4. Considering the aforesaid facts and circumstances as well as in terms and conditions of the agreement dated 19.09.2023 executed before the Patna High Court Mediation Centre between the petitioner and the Opposite Party No. 2, the present modification application is fit to be rejected.

(Chandra Prakash Singh, J)

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