

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68055 of 2023

Arising Out of PS. Case No.-2717 Year-2017 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Saudagar Khan Son of Amir Khan R/o vill - Noorpur Pathan Tola,P.s. - Manik Chowk, Distt. - Malda (West Bengal)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Biwi Noor Jahan Wife of Saudagar Khan, D/o Late Tullu Ali R/o vill - Madhgama, P.S. - Pranpur,Distt. - Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Advocate
For the Opposite Party/s : Mrs.Indu Kumari Srivastava,APP
Mr.Sanjeev Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-04-2024 The petitioner, husband of opposite party no. 2, apprehends his arrest in a complaint case punishable for the offence under Section 498(A) of the Indian Penal Code.

2. At the outset, learned counsel for both the parties submit that the dispute between the parties has been settled amicably through the process of mediation and both parties have agreed to live separately and for this, the petitioner offered to pay **Rs. 4,00,000/-** (Rupees four lacs only), as full and final settlement amount to opposite party no. 2, which she has accepted.

3. Here, it is relevant to mention that earlier, vide order dated 29.02.2024, with consent of the parties, the matter



was referred to Mediation & Conciliation Centre of Patna High Court to explore the possibility of settlement between the parties, which has been resolved, vide report of the Mediator, kept at flag ‘B’.

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 A.C.J.M. - I, Katihar in connection with C.A. Case No. 2717 of 2017, 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 29.03.2024 before the Mediation Centre, failing which, the learned Court below shall be at liberty to cancel the bail-bond of the petitioner.*

(Prabhat Kumar Singh, J)

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