

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1910 of 2024

Arising Out of PS. Case No.-2098 Year-2022 Thana- COMPLAINT CASE District- Banka

1. SAGAR MANDAL @SAGAR KUMAR MANDAL S/o MANOJ MANDAL R/o VILLAGE-VANGAON, P.S.-RAJOUN, DISTRICT-BANKA
2. SHAMBHAWI DEVI W/o MANOJ MANDAL R/o VILLAGE-VANGAON, P.S.-RAJOUN, DISTRICT-BANKA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RAKHI DEVI W/o SAGAR MANDAL @SAGAR KUMAR MANDAL D/o PRADEEP MANDAL, R/o VILLAGE-VANGAON, P.S.-RAJOUN, DISTRICT-BANKA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandan Prasad
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan
Dr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 06-08-2024 Heard learned counsel for the petitioners, learned

APP and learned counsel for opposite party no. 2.

2. The petitioner no. 1, husband of opposite party no. 2, apprehends his arrest in a complaint case punishable for the offence under Sections 498(A), 323, 379 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Earlier, vide order dated 08.05.2024, the matter was referred to Mediation & Conciliation Centre of Patna High Court to explore the possibility of settlement between the parties and vide report dated 01.08.2024, the Mediator has reported that



the dispute between the parties has been resolved amicably through the process of mediation. Petitioner no. 1 undertakes to keep opposite party no.2 with full respect and dignity and both parties will withdraw cases within six months. Petitioner no. 1 also undertakes to give Rs. 5,000/- (five thousand) per month to opposite party no. 2 for maintenance of her and children. These facts have been mentioned in Memorandum of Agreement dated 25.07.2024 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 petitioners, as named above, be enlarged on bail on furnishing bail-bond of **Rs.10,000/-** (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Banka in connection with Complaint Case No. 2098/2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further following condition:

“(i) That, petitioner no. 1 shall abide by all the terms & conditions, mentioned in Memorandum of Agreement dated 25.07.2024, attached with the report of the Mediation Centre.

(ii) If petitioner violates any terms & conditions of



the aforesaid agreement, the learned Court below would be at liberty to cancel the bail-bond of petitioners.”

(Prabhat Kumar Singh, J)

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