

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3966 of 2024

Arising Out of PS. Case No.-381 Year-2020 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Shambhu Pal Son Of Shiv Nath Pal Resident Of Village - Parsiya, P.O. -
Kochas, P.S. - Kochas, District - Rohtas

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Khushbu Devi Wife Of Shambhu Pal, Daughter Of Ram Pal Resident Of
Village - Badka Gaun Sabalpatt, P.O. - Naypura, P.S. - Simari, District -
Buxar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dimpal Kumari
For the Opposite Party/s : Mr.Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

5 16-01-2025 Heard learned counsel for the petitioner, learned
counsel for O.P. No. 2 and learned APP for the State.

2. The petitioner has filed the instant application
for apprehending his arrest in a case registered for the
offences punishable under Sections 323, 498(A), 504,
506/34 of the Indian Penal Code and Section 3, 4 of
Dowry Prohibition Act.

3. It is a case of torturing, assaulting and
demand of dowry. Petitioner is husband of the
complainant.



4. Learned counsel for the parties agreed upon the report of Memorandum of Agreement, sent by Patna High Court Mediation Centre, dated 08.01.2025, in which it is mentioned that both the parties are ready to resolve the dispute through the Mediation Proceeding on the following terms and conditions”

Both the parties agreed to live separately and for this the petitioner offered to pay Rs. 9,25,000/- (nine lakh twenty five thousand rupees) to O.P. No. 2 in installments as hereunder:-

(i) Rs. 1,00,000/- (one lakh rupees) on 09.01.2025,

(ii) Rs. 2,00,000/- (two lakh rupees) at the time of filing of mutual divorce petition in terms of Section 13(B) of the Hindu Marriage Act,

(iii) Rs. 2,00,000 (two lakh rupees) between 01-10th of March, 2025,

(iv) Rs. 2,00,000 (two lakh rupees) between 01 to 10th of April, 2025,

(v) 2,25,000/- (two lakh twenty five thousand rupees) between 01 to 10th of May, 2025.



5. Learned counsel for the petitioner is directed to pay the entire amount on the date fixed as per the Memorandum of Agreement.

6. In the meantime, as per their agreement, Both parties are directed to withdraw respective cases Civil/Criminal in nature filed against each other.

7. Having heard learned counsel for the parties and considering the above facts as also mentioned in Memorandum of Agreement, this Court is inclined to enlarge the petitioner on **provisional bail**. The above named petitioner is directed to be enlarged on **provisional bail** in connection with Complaint Case No. 381(c) of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Buxar.

8. After payment of the entire amount to the informant, the Trial Court may confirm the provisional



Bail granted to the petitioner after verifying the payment receipts of entire amount ie. Rs. 9,25,000/- (nine lakh twenty five thousand rupees) paid by the petitioner to O.P. No. 2. Trial Court will also verify the withdrawal of pending cases between both the parties.

9. Accordingly, the instant application stands disposed off.

(S. B. Pd. Singh, J)

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