

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21541 of 2024

Arising Out of PS. Case No.-2921 Year-2022 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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Banti Kumar @ Bunty Kumar @ Bunty Kumar Bhagat Son of Arun Kumar
Bhagat Resident of Gangwara, Kranti Chauk, Post-Sara Mohanpur, P.S.-
Town, District-Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Annu Kumari @ Sweeti Wife of Banti Kumar, D/O-Jageshwar Bhagat
Resident of Gangwara, Kranti Chauk, Post-Sara Mohanpur, P.S.-Town,
District-Darbhanga. At present resident of vill. and P.O.-Khabara, P.S.-Sadar,
Distt.-Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Surya Kant Mishra, Advocate Mr. Alok Ranjan, Advocate
For the Opposite Party/s :		Mr. Sanjay Kr. Singh, APP
For the O.P. No. 2		Mr. Krishna Kant Singh, Advocate

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

6 16-01-2025 Heard learned counsel for the petitioner, learned
counsel for opposite party 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, 498A of the Indian Penal Code
and Section 4 of the Dowry Prohibition Act.

3. It is a case of matrimonial dispute between the
petitioner and opposite party no. 2.

4. Earlier vide order dated 08.07.2024, with consent
of both the parties, this matter was referred to the Mediation and



Conciliation Center, Patna.

5. It reveals from Memorandum of Agreement dated 14.11.2024 that both parties agreed to live separately and petitioner has offered to pay Rs. 18,50,000/- (Rs. Eighteen Lakh Fifty Thousand only) as full and final settlement amount to O.P. No. 2, out of which he has paid Rs. 50,000/- and rest amount will be paid in six equal installments within six months by him.

6. Petitioner is directed to pay entire amount i.e. Rs. 18,00,000/- to the complainant.

7. In the meantime, as per their agreement, both parties are directed to withdraw the cases pending against each other.

8. Having heard learned counsel for the parties and considering the facts mentioned in Memorandum of Agreement before Patna High Court Mediation Center, 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. 2921 of 2022 on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, East Muzaffarpur.

9. Trial Court is directed confirm the provisional bail



granted to the petitioner after verifying the deposit receipts of payment of the entire amount i.e. Rs. 18,00,000/- (Rs. Eighteen Lakh) by the petitioner to the opposite party. Trial Court will also verify the withdrawal of pending cases between both the parties.

10. Accordingly, the instant application stands disposed off.

11. Both the parties are at liberty to file appropriate application before appropriate forum, if any of them breaches the terms and conditions as incorporated in Memorandum of Agreement, Patna High Court Mediation Center.

(S. B. Pd. Singh, J)

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