

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26655 of 2024

Arising Out of PS. Case No.-1205 Year-2017 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Md. Mushtak Son Of Md. Mukhtar Resident Of Village- Mobarak Chuck, Ps-
Mufassil, Dist- Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Najma Khatoon Daughater Of Md. Quamruzzama Khan Resident Of
Village- Kasba Kherhi, Wali Nagar, Ps- Shahkund, Dist- Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shweta Singh
For the Opposite Party/s : Mr.Mukesh Kumar Singh

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

4 17-01-2025 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, 341, 498(A) of

the Indian Penal Code and Section 4 of Dowry Prohibition

Act.

3. It is a case of torturing, assaulting and

demand of dowry. Petitioner is husband of the

complainant.

4. In pursuance to the direction of this Court,



to appear before the Mediation Centre, both the parties have appeared before the Patna High Court Mediation Centre. The report of Memorandum of Agreement, sent by Patna High Court Mediation Center, dated 10.12.2024, has been received and is kept at flag 'B' and it suggests that both parties have agreed upon to part ways. The petitioner agrees to pay Rs. 4,50,000/- as full and final settlement to the Opposite Party No. 2. Out of which, Rs. 2,25,000/- shall be paid to O.P. No. 2 at the time of furnishing bail bond before the learned trial Court and rest amount of Rs. 2,25,000/- shall be paid to Opposite Party No. 2 at the time of filing compromise petition before learned trial Court.

5. Both the parties agreed to file an application before the appropriate Court for mutual consent of divorce.

6. In the meantime, as per their agreement, Both parties are directed to withdraw their 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 bail after verifying the conditions as per the memorandum of agreement of mediation report between the parties. The above named petitioner is directed to be enlarged on bail (subject to fulfilment of the conditions mentioned in the said agreement) in connection with Complaint Case No. 1205 of 2017 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, Bhagalpur.

8. The bail bond of the petitioner will be accepted on showing the receipt of Rs. 2,25,000/- (two lakh twenty five thousand rupees) by the petitioner in favour of O.P. No. 2 (Najma Khatoon).

9. Both parties shall have liberty to file an appropriate application before appropriate forum if any



one breaches the conditions as incorporated before the
Mediation Centre.

(S. B. Pd. Singh, J)

Nirajkrs/-

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