

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26145 of 2024

Arising Out of PS. Case No.-172 Year-2022 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Shushant Bhashkar Son of Harishankar Mahto Resident of Village- Sonbarsa
(Lalbandi Road), P.S.- Sonbarsa, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Chandani Kumari Wife of Shushant Bhashkar, D/o Suresh Chandra Mahto
Resident of Mohalla- Saidnagar Near about K.K. Lal School, Bakarganj,
P.S.- Laheriasarai, District- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate
For the Opposite Party/s : Mr. Shaheen Begum, APP

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

5 21-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in
connection with C.R. Case No. 172 of 2022, T. R. No. 1646 of
2023 registered for the offences punishable under Sections 323,
341, 504, 498A of the Indian Penal Code.

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

4. Earlier, vide order dated 18.09.2024, 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



28.01.2025 both the parties agreed to live separately and petitioner has offered to pay Rs. 10,00,000/- (Ten Lakh) as full and final settlement amount to opposite party no. 2, out of which he has paid Rs. 1,00,000/- (One Lakh) on 28.01.2025. On 29.01.2025 he has to pay second installment of Rs. 1,00,000/- (One Lakh) and the rest amount will be paid in four equal installments on or before 30th of July, 2025.

6. Petitioner is directed to pay entire amount i.e. Rs. 10,00,000/- (Ten Lakh) to the complainant.

7. In the meantime, as per their agreement, both parties are directed to withdraw the cases pending against each other. As also, abide the other condition if any, incorporated in the said agreement.

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 C.R. Case No. 172 of 2022, T.R. No. 1646 of 2023 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Darbhanga.



9. Trial Court is directed to confirm the provisional bail granted to the petitioner after verifying the deposit receipts of payment of the entire amount i.e. Rs. 1,00,000/- (One 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 of.

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)

Prabhakar/-

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