

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39407 of 2024

Arising Out of PS. Case No.-1018 Year-2023 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Vikash Kumar Sharma @ Bikash Kumar Sharma Son Of Vishwanath Sharma
Resident Of Village-Shankarpur, Police Station-Singhwara, District-
Darbhanga

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Nitu Kumari W/O Vikash Kumar Sharma @ Bikash Kumar Sharma D/O Sri
Lakshmi Sharma R/O Vill.- Shankarpur, P.S.- Singhwara, Dist.- Darbhanga,
At Present R/o Vill.- Behat, Kabirchak, P.S.- Sadar, Dist.- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary
For the Opposite Party/s : Mr.Anita Kumari

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

4 17-01-2025 Heard learned counsel for the petitioner 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 498(A), 380, 379, 384, 504 and 506
of the Indian Penal Code and Section 3/4 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 11.09.2024, 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 18.12.2024 that both the parties agreed to live separately and petitioner has offered to pay Rs. 1,00,000/- (Rupees One Lakh) as full and final settlement amount to opposite party no. 2, the amount will be paid in four equal installments within four months by him.

6. Petitioner is directed to pay entire amount i.e. Rs. 1,00,000/- (Rupees One 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 Complaint Case No. 1018 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, 1st Class, 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/- (Rupees One Lakh) by the petitioner to the opposite party. Trial Court will also verify the withdrawl 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)

Ankit Kumar/-

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