

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57340 of 2024

Arising Out of PS. Case No.-73 Year-2024 Thana- SAHARSA COMPLAINT CASE District-
Saharsa

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Dularchand Mahto S/o Nirmal Mahto R/o vill - Sahuriya Basahi, P.S. -
Salkhua (Chiraiya O.P.), Distt. - Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vibha Devi W/o Dularchand Mahto R/o vill - Kabira, P.S. - Salkhua, Distt. -
Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akash Anand, Advocate

For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

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

ORAL ORDER

4 25-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 73C of 2024 for the
offences punishable under Sections 498A, 323 and 34 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 16.12.2024, 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 27.01.2025 that both the parties agreed to live separately and petitioner has offered to pay Rs. 3,25,000/- (Three Lakh Twenty Five Thousand) as full and final settlement amount to opposite party no. 2, in following manner:-

“(i). First installment of Rs. 1,00,000/-(One Lakh) will be paid at the time of filing of bail bond.

(ii). Second installment of Rs. 1,00,000/-(One Lakh) will be paid after 45 days of filing of bail bond.

(iii). Third and last installment of Rs. 1,25,000/-(One Lakh Twenty Five Thousand) will be paid at the time of mutual divorce.”

6. 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. 73C of 2024 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Saharsa.

7. 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. 3,25,000/- (Three Lakh Twenty Five Thousand) by the petitioner to the opposite party. Trial Court will also verify the withdrawal of pending cases between both the parties.

8. Accordingly, the instant application stands disposed of.

(S. B. Pd. Singh, J)

Prabhakar/-

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