

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51297 of 2024

Arising Out of PS. Case No.-1077 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. Shiv Shankar Ram S/O Bindeshwar Ram R/O Village- Nakati, P.S- Rajnagar, Distt.- Madhubani.
 2. Raj Kumar Ram S/O Bindeshwar Ram R/O Village- Nakati, P.S- Rajnagar, Distt.- Madhubani.
 3. Pinki Devi W/O Raj Kumar Ram R/O Village- Nakati, P.S- Rajnagar, Distt.- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mala Devi W/O Shiv Shankar Ram R/O Village- Nakati, P.S- Rajnagar, Distt.- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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

4 14-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners have filed the instant application for apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 379, 504/34 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 20.11.2024, 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 08.01.2025 that both the parties agreed to live separately and petitioner no. 1, namely, Shiv Shankar Ram (husband of the complainant) has offered to pay Rs. 4,25,000/- (Four lakh twenty five thousand) as full and final settlement amount to opposite party no. 2, in the following manner:-

“A. First installment of Rs. 1,45,000/- on the date of furnishing bail bond through Bank Draft/RTGS issued in the name of OP No. 2.

B. Second installment of Rs. 1,40,000/- on the date of filing of divorce petition U/s 13(B) of Hindu Marriage Act before the Family Court, Madhubani.

C. Third installment of Rs. 1,40,000/- on the date of deposition of both the parties before the learned Principal Judge, Family Court, Madhubani in mutual divorce petition filed U/s 13(B) of Hindu Marriage Act.”

6. Petitioner is directed to pay entire amount i.e. Rs. 4,25,000/- (Four lakh twenty five thousand) to the complainant in terms of above conditions.

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 petitioners are directed to be enlarged on **provisional bail** in connection with C.R. Case No. 1077 of 2022 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. Madhubani.

9. Trial Court is directed to confirm the provisional bail granted to the petitioners after verifying the deposit receipts of payment of the entire amount i.e. Rs. 4,25,000/- (Four lakh twenty five thousand) by the petitioner (husband of the complainant) 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)

Ankit Kumar/-

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