

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51233 of 2024

Arising Out of PS. Case No.-10695 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Gyanesh @ Gyanu Son Of Manoj Kumar R/O- Sachidanand Bhawan, Azad
Path Gali No. 2, Chandmari Road, Kankarbag, P.S.- Kankarbagh, Distt.-
Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Swati Singh W/O- Gyanesh @ Gyanu , D/O- Rajiv Ranjan Kumar Singh
R/O- Vishnu Vila, Balami Chak, P.O.- Anishabad, P.S.- Beur Distt.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh
For the Opposite Party/s : Mr.Narendra Kumar Singh

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

5 13-02-2025 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 498(A)/34 of the

Indian Penal Code and Section 3/4 of Dowry Prohibition

Act.

3. It is a case of torturing, assaulting and

demand of dowry. Petitioner is husband of the



complainant.

4. Learned counsel for the parties agreed upon the report of Memorendum of Agreement, sent by Patna High Court Mediation Centre, dated 10.01.2025, in which it is mentioned that both the parties are ready to resolve the dispute through the Mediation Proceeding on the following terms and conditions”

Both the parties agreed to live separately and for this the petitioner offered to pay Rs. 16,00,000/- (sixteen lakhs rupees) to O.P. No. 2 in installments as hereunder:-

(i) On 10.01.2025, petitioner has already handed over a bank draft (in favour of O.P. No. 2) of Rs. 1,00,000/- (one lakh rupees) to O.P. No. 2.

(ii) rest amount of Rs. 15,00,000/- (fifteen lakh rupees) will be handed over to O.P. No. 2 by the petitioner on 23rd of January, 2025, at the time of filing of mutual divorce petition in terms of Section 13(B) of the Hindu Marriage Act.

(iii) both parties will withdraw the cases pending against each other.



5. In the meantime, as per their agreement, Both parties are directed to withdraw respective cases Civil/Criminal in nature filed against each other.

6. 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 **provisional bail**. The above named petitioner is directed to be enlarged on **provisional bail** in connection with Complaint Case No. 10695(C) of 2022 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, Patna Sadar.

7. Trial Court shall confirm the provisional Bail granted to the petitioner after verifying the payment receipts of entire amount ie. Rs. 16,00,000/- (sixteen lakh rupees) paid by the petitioner to O.P. No. 2. Trial Court will also verify the withdrawal of pending cases between both the parties.



8. Accordingly, the instant application stands
disposed off.

(S. B. Pd. Singh, J)

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