

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61110 of 2024

Arising Out of PS. Case No.-8158 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Suman Kumar Son of Jyotish Chandra Mehta R/o Village- Chainpura, P.S.-
Bypass, District- Patna Petitioner/s

Versus

1. The State of Bihar
 2. Seema Kumari Wife of Suman Kumar, D/o Late Satrugan Lal R/o Village-
Shahganj, P.S.- Sultanpur, District- Patna
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Nath Pandey, Advocate
For the Opposite Party/s : Mrs. Meena Singh, 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 has filed the instant application for apprehending his arrest in a case registered for the offences punishable under Section 498A 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 05.12.2024, 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 09.01.2025 that both the parties agreed to live separately and



petitioner has offered to pay Rs. 5,00,000/- (Five Lakh) as full and final settlement amount to opposite party no. 2, in the following manner:-

“A. First installment of Rs.1,00,000/- (Rupees One Lakh) on the date of furnishing of bail bond.

B. Second installment of Rs. 1,00,000/- (Rupees One Lakh) at the time of admission of divorce petition under section 13B of Hindu Marriage Act before the Family Court, Patna.

C. Third and the fourth installment of Rs.1,00,000/- (Rupees One Lakh) on two consecutive months will be paid by the Petitioner in favour of the Opposite Party No.2.

D. The last installment of Rs.1,00,000/- (Rupees One Lakh) as final settlement of divorce. The Payment shall be through Bank Draft/RTGS issued in the name of opposite party No.2 namely Seema Kumari.”

6. Petitioner is directed to pay entire amount i.e. Rs. 5,00,000/- 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.8158(C) 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 Judicial Magistrate, 1st Class, Patna-Sadar.

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. 5,00,000/- 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.

(S. B. Pd. Singh, J)

Prabhakar/-

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