

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71703 of 2023

Arising Out of PS. Case No.-1213 Year-2022 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Chandan Kumar S/O Mithlesh Poddar R/O Mohalla- Dakbangal Chok Bihiya,
P.S- Bihiya, Distt.- Bhojpur.

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Mona Kumara @ Kumara Mona D/O Prveen Poddar R/O Village- Power House Road, Gachi Tola Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

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

ORAL ORDER

7 11-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Complaint Case No. 1213(c) of 2022 instituted for the offence under Sections 498(A), 341, 323/34 of the Indian Penal Code.

3. Petitioner is the husband of O.P. no. 2 and this case relates to matrimonial dispute. They have no child from their wedlock.

4. Earlier the matter was referred to Patna High Court Mediation Center from where one time settlement has been



arrived between the parties mutually. Entire terms and conditions are mentioned in para 4 of the mediator's report in Mediation proceeding No. 1733 of 2024.

5. Mediator's report is kept at 'Flag M' which suggests that petitioner will pay an amount of Rs. 5,50,000/- to the O.P. no. 2 by way of full and final settlement.

6. It is submitted by learned counsel for the petitioner that till date he has paid Rs. 2,00,000/-. He will pay Rs. 1,50,000/- on the date of appearance of O.P. No. 2 in the court of learned Principal Judge, Family Court, Patna at the time of her deposition. Petitioner will pay last/ 4th installment of Rs. 2,00,000/- prior to final hearing of the divorce petition.

7. Having heard learned counsel for the parties and considering the terms and conditions as mentioned in their Memorandum of Agreement, this Court is inclined to enlarge the petitioner on **provisional bail**. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Complaint Case No. 1213 (C) of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai



subject to the conditions as laid down under section 438(2) of the Cr.P.C.

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. 5,50,000/- (Rs. Five Lakh and Fifty Thousand) by the petitioner to the opposite party. Trial Court will also verify the compliance of all the terms and conditions as mentioned in para 5 of the Memorandum of Agreement.

10. Accordingly, the instant application stands disposed off.

(S. B. Pd. Singh, J)

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