

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67456 of 2024**

Arising Out of PS. Case No.-22 Year-2024 Thana- MAHILA P.S. District- Sheohar

Golu Kumar S/o- Virender Rai Resident of village- Dumri Katsari ward no 11, Ps-Shyampur Bhathan District -Sheohar

... .. Petitioner/s
Versus
The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Md Ansiur Rahman, Adv.
For the Opposite Party/s : Mr. Arun Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 22-03-2025 Heard Learned Counsel for the petitioner, Learned
APP for the State and Learned Counsel for the O.P. No.2.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Sheohar Mahila P.S. Case No.22 of 2024 under Sections 341, 342, 504, 506, 323, 379, 498A and 494 of the Indian Penal Code read with Section 3/4 of the D.P. Act.

3. As per the prosecution, the FIR has been lodged against 5 named accused persons including the petitioner against whom there is allegation of demand of dowry of Rs.5 lacs and



in this regard, *panchayati* has also taken place.

4. Learned counsel for the petitioner submits that vide order dated 23.10.2024, this matter has been referred before the Patna High Court Mediation and Reconciliation Center.

5. Counsel jointly submits that mediation report has been received which is attached with this bail application states as follows:-

MEDIATOR'S REPORT
Mediation Proceeding No.1688 of 2024
[Arising out of Cr.Misc.No.67456 of 2024]

Golu Kumar

Versus

The State of Bihar & Anr

The dispute between parties has been resolved through the process of mediation. The terms of settlement mutually agreed upon by them is being attached herewith.

Nutan Sahay
(Nutan Sahay) 11/12/2024
Mediator



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Patna High Court Mediation Centre
Memorandum of Agreement
Mediation Proceeding No.1688 of 2024
[Arising out of Cr.Misc.No.67456 of 2024]

An agreement made on 10.12.2024 at the High Court Patna Mediation Centre, between,
Golu Kumar, Son of Virender Rai, Resident of Village-Dumri Katsari, Ward No.11, P.S.-Shyampur Bhathan, District-Sheohar.
--- Petitioner/(First party).

And

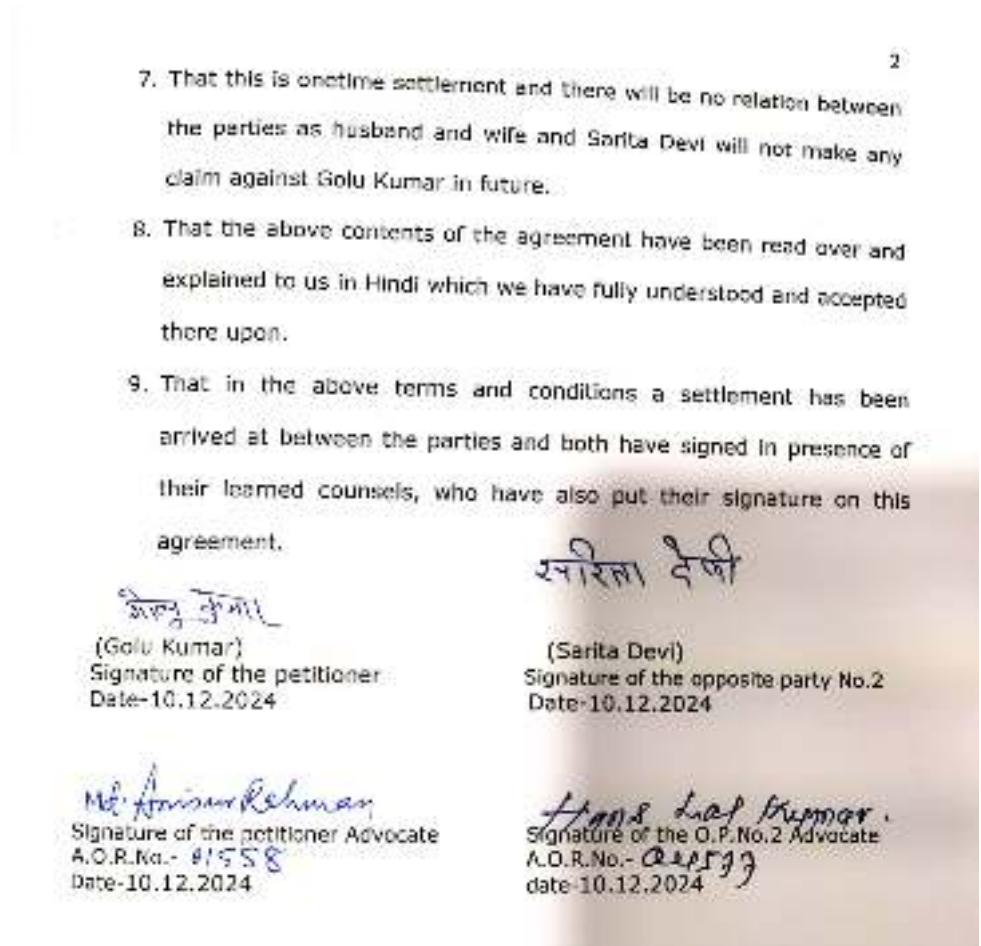
Sarita Devi, wife of Golu Kumar, Daughter of Sri Narayan Rai, Resident of Village-Rupaulia, P.S.-Phenhara, District-East Champaran.
--- Opposite Party No.2 (Second party).

Both the parties appeared in the Mediation Proceeding along with their respective Advocates and resolved the dispute through the Mediation Proceeding on the following terms and conditions:-

1. That both the parties are present today with their respective advocate.
2. That the parties have jointly stated that they have settled the matter and they have decided to live separately and have broken the relation of husband and wife.
3. That the husband Golu Kumar will pay a sum of Rs.8,00,000/- (Rupees Eight Lakh) to the wife (Sarita Devi) as one time settlement.
4. That husband has paid Rs.4,00,000/- (Rupees Four Lakh) to the wife namely Sarita Devi today before the Mediation Centre in presence of Mediator and their respective lawyers under Demand Draft No.906569, dated 09.12.2024 already received by opposite party No.2 namely Sarita Devi today.
5. That the husband will pay rest of Rs.4,00,000/- (Rupees Four Lakh) to Sarita Devi in the Ld. Court below i.e. Family Court, Sheohar.
6. That the opposite party No.2 (Sarita Devi) under takes that she will withdraw the cases i.e. Sheohar Mahila P.S. Case No.22 of 2024 and Maintenance Case No.84 of 2024 filed by her against the petitioner (Golu Kumar).

24/12/24
10.12.2024
10-12-2024





6. Upon perusal of the mediation report, it transpires that both parties have reached on the settlement and petitioner shall pay a sum of Rs.8,00,000/- (Rupees Eight Lacs only) to his wife for which he has already paid Rs.4 lacs and rest amount of Rs.4 lacs shall be paid in the learned court below i.e., Family Court, Sheohar.

7. Learned APP for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case



and the submissions made above, let the petitioner above named, be granted bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Sheohar in connection with Sheohar Mahila P.S. Case No.22 of 2024, subject to the following conditions as laid down under Section 438(2) of Cr.P.C. with other following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any



criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

9. However, this Court feels it appropriate that the said amount of Rs.4 lacs shall be paid to the informant before the Family Court on the day, when the informant shall appear before the Court narrating his evidence before the Family Court about settlement.

(Dr. Anshuman, J.)

Prakashmani/-

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