

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20952 of 2024

Arising Out of PS. Case No.-323 Year-2022 Thana- BUXAR COMPLAINT CASE District-
Buxar

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UTKARSH KUMAR RAI @ GOLU RAI S/O- BINOD RAI @ VINOD RAI
R/O- VILLAGE- CHOTKI SHERPUR, P.O- SHERPUR (KALA), P.S.-
BHAWARKOL, DIST.- GHAZIPUR.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR

2. Radha Kumari, Wife of Utkarsh Kumar Rai @ Golu Rai, Daughter of Sri
Ram Rai, Resident of village + Post – Umarpur, P.S.-Buxar (Industrial),
District – Buxar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aditya Nath Pandey, Advocate.

For the State : Mr.Bharat Bhushan, APP.

For the O.P. No.2 : Dr. Kamal Deo Sharma, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

3 31-07-2024 Heard Mr. Aditya Nath Pandey, learned counsel
appearing on behalf of the petitioner; Mr. Bharat Bhushan,
learned APP for the State and Dr. Kamal Deo Sharma, learned
counsel for the opposite party no.2.

2. The petitioner seeks pre-arrest bail in connection
with Complaint Case No. 323(c) of 2022 registered for the
offence punishable under Sections 323, 341, 498(A), 406 and
504/34 of the Indian Penal Code.



3. The present case relates to matrimonial dispute between the petitioner and the opposite party no.2 who are husband and wife.

4. Learned counsel appearing on behalf of the opposite party no.2 submits that dispute between the parties have been resolved through mediation and he has received instruction that if the petitioner abides by the terms and conditions of the settlement dated 14.05.2024, then the opposite party no.2 has no objection.

5. Considering the aforesaid information given on behalf of the opposite party no.2, I find that in view of the settlement arrived between the parties who are husband and wife, the District Court must examine as to whether petitioner has abided by the terms and conditions of the agreement and if the petitioner makes payment of the entire amount within the stipulated period as per the terms of settlement dated 14.05.2024, then the petitioner, above named, be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Buxar in connection with Complaint Case No. 323(c) of



2022, subject to the condition as laid down under Section 438(2)
of the Cr.P.C.

6. The bail application stands disposed of.

(Purnendu Singh, J)

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