

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30849 of 2024

Arising Out of PS. Case No.-524 Year-2023 Thana- AGAMKUAN District- Patna

ABHISHEK RAJ S/O VIKASH R/o Mahatma Gandhi Nagar, P.S- Patrakar
Nagar, Town and Distt and Town- Patna, Pin- 800020.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Varsha Kumari W/O Abhishek Raj and D/O Satish Kumar R/O MIG Sector-6, Block-1, Flat No.-31, Bahadurpur Housing Colony, P.S- Agamkuan, Town and Distt.- Patna.-800026.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Prasad Singh, Adv.
For the Opposite Party/s : Mrs. Madhuri Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 20-09-2024 Heard Mr. Madan Prasad Singh, learned counsel for

the petitioner, the State and also Mrs. Madhuri Kumari
representing the informant.

2. The petitioner apprehends his arrest in connection
with Agamkuan P.S. Case No. 524 of 2023 for the offence
registered under sections 498(A), 506, 313 of the IPC and ¾ of
D.P. Act lodged on 28.05.2023 by the informant Varsha Kumari.

3. Pursuant to the last order dated 13.09.2024, the
couple is present in the Court, a Demand Draft of Rs.
20,00,000/- in the name of the informant, Varsha Kumari has
been prepared towards the Bank of Baroda, Patna Branch dated
19.09.2024 having D.D. No. 909605. Further, as agreed between



the parties, they will be taking steps for taking all the cases (four in number) to its logical conclusion. The cases are as follows:

“(i) The Matrimonial Case No. 196 of 2024 (restitution) pending before the learned Principal Judge, Family Court, Patna;

(ii) the Matrimonial Case No. 1386 of 2023 pending before the learned Principal Judge, Family Court, Patna;

(iii) the Maintenance Case No. 346 (M) of 2023 pending before the Competent Civil Court, Patna;

(iv) the present case i.e., Agamkuan P.S. Case No. 524 of 2023 lodged on 28.05.2023.”

4. The parties have further agreed that they will remain friend but will not come in the path of each other and/or disturb/threaten/coerce in any manner.

5. The Demand Draft so made in the name of Varsha Kumari (the informant) has been presented in the Court and the signature of the baby has been taken in the file itself.

6. This Court would like to put on record its word of appreciation for Mr. Madan Prasad Singh, who represent the petitioner as also Mrs. Madhuri Kumari, who represent the informant for taking extra pain in bringing the case to an



amicable settlement for the betterment of the couple. Further, the word couple has been used because still they are married till the divorce case is finalised.

7. In the aforesaid facts and the circumstances, this Court is inclined to grant him the anticipatory bail with conditions.

8. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM IV, Patna City, Patna in connection with Agamkuan P.S. Case No. 524 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives 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 bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) 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.

(Rajiv Roy, J)

Vijay Singh/-

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