

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4371 of 2025

Arising Out of PS. Case No.-407 Year-2023 Thana- COMPLAINT CASE - ROSERA
District- Samastipur

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Mantosh Kumar Son of Vaban Kapar Resident of Village- Shivnagar
Badgaon, P.S.- Chakmehsi, Distt.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nisha Kumari Wife of Mantosh Kumar, D/O- Manoj Mandal Resident of
Village- Shivnagar Badgaon, P.S.- Chakmehsi, Distt.- Samastipur, Present
address- Village- Ballipur, P.S.- Hathauri, Distt.- Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Shubhesh Pandey
For the Opposite Party/s :	Mr.Md. Ataur Rahman
	Mr. Binod Kr. Sinha

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 05-08-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no. 2.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 379, 498A, 504 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

3. The prosecution case is based upon a complaint filed by the opposite party no. 2 in which she has made an allegation of demand of dowry and torture. Petitioner is the husband of opposite party no.2.

4. The matter had been referred to the Patna High Court



Mediation and Conciliation Centre for amicable settlement of disputes. It appears from the mediation report that vide memorandum of agreement dated 10.07.2025 passed in Mediation Proceeding No. 690 of 2025 the parties have resolved their differences and the petitioner has agreed to pay an amount of Rs. 1,10,000/- by way of bank draft into the account of the opposite party no. 2 at the time of furnishing of bail bonds as one time settlement between the parties. It has also been agreed that the parties would take steps to withdraw the cases against each other and also file an application for mutual consent divorce before the family court.

5. Learned counsel for the opposite party no. 2 also agrees to the same and supports the contents of the memorandum of agreement.

6. In such view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with C.R. Case No. 407 of 2023, subject to the condition as laid down under



Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

7. However, the petitioner would surrender within a period of six weeks when a proof of payment of the amount of Rs. 1,10,000/- would be furnished at the time of furnishing of the bail bonds and in the meantime, the opposite party no. 2 would take immediate efforts for withdrawal of the cases filed by the opposite party no. 2 against the petitioner. It is also expected that both the parties would adhere to the terms and conditions as agreed between them and would also apply together for mutual consent divorce.

(Soni Shrivastava, J)

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