

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23167 of 2025

Arising Out of PS. Case No.-655 Year-2024 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Mukesh Kumar Jha S/O Late Paras Nath Jha Resident of Village-
Madhusudan Colony, Rajgangpur, P.S- Rajgangpur, Distt.- Sundergarh
(Orrisa).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nisha Bharti @ Nisha Jha W/O Mukesh Kumar Jha, D/O Amlesh Kumar Jha
At present residetn of New Khajasarai, P.s- Laherisarai, Distt.- Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Gajendra Kumar Singh, Advocate
For the State	:	Mr. Sanjay Kumar Sharma, APP
For the Complainant	:	Mr. Saurav Anand, Advocate

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 24-09-2025 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 655 of 2024, Trial No. 185 of 2024
registered for the offences punishable under Sections 498(A),
323 of the IPC.

3. It is a case of matrimonial dispute.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated.
The petitioner and his wife (the complainant) have
compromised the case in Mediation Centre.



5. The report of the Mediation Centre is annexed with the record along with the terms and conditions of the compromise. The terms and conditions are as follows:-

1. That after great persuasion both the parties agreed to live separately and for this the Petitioner (Mukesh Kumar Jha) offered to pay Rs.8,00,000/-(Rupees Eight Lakh Only) as full and final settlement amount to the Opposite Party No.2 (Nisha Bharti @ Nisha Jha). Opposite party No.2 accepted the offer and gave her consent.

2. That the petitioner agreed to pay the aforesaid settlement amount in the sum of Rs.8,00,000/-(Rupees Eight Lakh) to the Opposite Party No.2 in three installment in following manner:-

The Petitioner (Mukesh Kumar Jha) shall pay first installment of Rs.2,00,000/- (Rupees Two Lakh) shall be paid at the time of furnishing bail bond to the Opposite Party No.2 namely Nisha Bharti @Nisha Jha. The payment shall be made through Demand Draft issued in the name of Opposite Party No.2 namely Nisha Bharti @ Nisha Jha. The second installment of Rs.2,00,000/- (Rupees Two Lakh) shall be paid at the time of filing of Divorce petition in terms of Section 13 (B) of the Hindu Marriage Act, the ground of mutual consent to the Opposite Party No.2 through Bank Draft. Third and last installment of Rs.4,00,000/- (Rupees Four Lakh) shall be paid before the learned Court below at the time of Decree of Divorce through Demand Draft to the Opposite Party No.2.

3. That the petitioner is also agreed to return all the belonging to the Opposite Party No.2 soon day after tomorrow after furnishing bail bond before the learned Trial Court.

4. That both the parties have agreed to file the mutual divorce petition in terms of Section 13 (B) of the Hindu



Marriage Act, before the Principal Judge, Family Court, Darbhanga after disposal of the Criminal Miscellaneous No. 23167 of 2025.

5. That both the parties have further agreed to withdraw their all respective cases Civil/Criminal in nature filed against each other in the light of settlement of dispute soon after filing of the mutual divorce petition. In that view of the matter, Opposite party No.2 (Nisha Bharti @ Nisha Jha) shall withdraw Darbhanga Complaint Case No.655 of 2024. It is clarified that both the parties have also agreed not to file Civil/Criminal Case against each other in future.

6. This settlement shall be full and final settlement and no party shall claim in future against each other, in any manner.

7. That both the parties agreed to file mutual consent divorce case under section 13 (B) of Hindu Marriage Act, 1955, before Principal Judge, Family Court, Darbhanga as mentioned above and after that both the parties are free to lead their life as per their own will.

6. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within six weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-2nd Class, Darbhanga in connection with Complaint Case No. 655 of 2024, Trial No. 185 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C./ 482(2) of the BNSS, 2023.

7. If either of the parties retracts from the terms and



conditions agreed upon between the parties, the learned Court
below will be at liberty to pass appropriate order.

(Nawneet Kumar Pandey, J)

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