

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27736 of 2025

Arising Out of PS. Case No.-233 Year-2024 Thana- BAJPATTI District- Sitamarhi

Umesh Kumar S/O Chhedi Sah R/O Village- Balbhiswa, P.S- Bajpatti, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sujita Kumari D/O Nunu Sah R/O Village- Balbhiswa, P.S- Bajpatti, Distt.- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 14-11-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Bajpatti P.S. Case No. 233 of 2024 for the offence under sections 363, 366(A), 376, 498(A), 323 and 34 of the Indian Penal Code, Section 8 of the POCSO Act and section 4 of the Dowry Prohibition Act lodged on 27.08.2024.

3. As per the prosecution story, the informant alleged that while she was coming to the school, the petitioner forcibly took her away and outraged her modesty. Thereafter, a Panchayat took place and it is decided that they get married. After marriage, demand of dowry was made and due to non-fulfillment, she was tortured.. This led to the FIR.

4. Pursuant to the last order dated 03.09.2025, the



couple is present in the Court.

5. It has been informed by learned counsel for the petitioner that they have come to an amicable settlement and a cheque of Rs. 3,00,000/- addressed to Sujita Kumari dated 31.10.2025 is being handed over to the lady (Sujita Kumari). She has accepted the same and through the learned counsel representing her, it has been submitted that she is happy by the said amicable settlement and has no objection in granting relief to the petitioner.

6. Taking into account the aforesaid development that has taken place, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned District & Addl. Sessions Judge-IV-cum-Exclusive Special Judge (Rape & POCSO), Sitamarhi in connection with Bajpatti P.S. Case No. 233 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 his bail bonds.

8. Both the parties have further came to the conclusion that they will be withdrawing the cases filed by both of them against each other.

9. The husband will be providing the agreement paper on which the joint draft will be prepared by both the learned counsels.

(Rajiv Roy, J)

Adnan/-

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