

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32322 of 2025

Arising Out of PS. Case No.-2175 Year-2023 Thana- COMPLAINT CASE District- Araria

MD. ISHAR ALAM @ ESAR ALAM S/o- Md. Shakil Uddin @ Md. Shakeel
Village- Domahana W.No-11, Ps- Jokihat Dist- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Barkat Naz W/o- Md. Ishar Alam, D/o- Nasim Uddin Village-Domahana W.No-11, Ps- Jokihat Dist- Araria, A/P- Kursail Po- Kursail Ps- Mahalgaon Jokihat Dist- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti
For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 12-11-2025 Heard the learned counsel for the parties.

2. The petitioner apprehends his arrest for the offences alleged under Section 498(A) of the Indian Penal Code, registered in connection with Complaint Case No. 2175C/2023.

3. The marital discord between the couple has given rise to the present litigation. The matter was compromised between the parties in the Patna High Court Mediation and Conciliation Centre.

4. Followings are the terms and conditions of the agreement arrived at between the parties:-

“1. That after great persuasion both the parties agreed upon to resolve the dispute by



one time settlement and both will be free from the liability as husband and wife.

2. That as per offer by the opposite party No.2 namely Bibi Barkat Naz, the petitioner is ready to give total amount of Rs.1,00,000/- (Rupees One Lack only) and available articles given at the time of marriage as gift for one time settlement.

3. That the petitioner has handed over total amount in three instalments and available articles given at the time of marriage as gift have been received by father of the opposite party no. 2 namely Md. Nasimuddin on 25.09.2025.

4. That both the parties are agreed upon to file joint petition of Divorce before the Principal Judge, Family Court, Araria.

5. That photo copies of three Demand Drafts are kept on records and will be sent before Hon'ble Patna High Court along with agreement and alongwith list of articles.

6. That original copies of the three Demand



Drafts have already been handed over to the Opposite Party No.2 namely Bibi Barkat Naz.

7. All the cases pending between the parties including maintenance case no. 80/2025 filed by the opposite party no. 2 will be withdrawn by her.

8. That both the parties agreed upon that settlement shall be full and final and no any claim will be made in future against each other.

9. That the terms and condition of the agreement have been read over and explained to us in Hindi which we have fully understood and the same is accepted by both the parties.

10. That in the above terms and conditions a settlement has been arrived at in between the parties and both have put their signatures in the presence of their counsels who have also put their signatures on this agreement.”

5. Considering the fact that the parties have compromised the case, let the petitioner above-named, in the event of his arrest or surrender within four weeks from the date of communication of this order, be released on bail on



furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Araria in connection with Complaint Case No. 2175C/2023.

6. If either of the parties resiles from the terms of agreement, the learned court below may take appropriate steps in this regard.

(Nawneet Kumar Pandey, J)

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