

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35612 of 2022

Arising Out of PS. Case No.-1804 Year-2018 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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SHREYA KUMARI, S/o- Late Ram Kailash Singh, W/o- Dhiraj Kumar @ Raj Kumar Resident of Mohalla- Gandhi Nagar, Biran Bigha, P.O. and P.s.- Dehari On Sone, District - Rohtas. At present resides at Mohalla- Pawarganj, Anaith Ara, P.S.- Ara Nawada, District - Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dhiraj Kumar @ Raj Kumar, S/o- Ramji Singh Resident of Mohalla- Gandhi Nagar, Biran Bigha, P.O. and P.s.- Dehari On Sone, District - Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the Opposite Party/s	:	Mr. Anjum Perveen, Advocate
		Mr. Md. Rustam Hussain, Advocate
		Mr. Syed Arshad Alam, Advocate
For the State	:	Mr. Dr. Mrityunjaya Kr. Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

24 25-11-2025 Heard learned counsel for the petitioner and learned counsel for the O.P. No. 2 as well as learned APP for the State.

2. This Cr. Misc. petition has been filed for cancellation of anticipatory bail granted to O.P. No. 2 *vide* order dated 11.05.2022 passed by this Court passed in Cr. Misc. No. 55992 of 2021, in connection with Complaint Case No. 1804(C) of 2018.

2. Learned counsel for the parties submit that they are ready to take divorce on mutual consent and in this regard they will file petition before the competent court under Section



13 B of Hindu Marriage Act within two months.

3. Learned counsel for the parties further submit that earlier there was an order passed regarding settlement between the parties that the O.P. No. 2 shall pay Rs. 15,00,000/- to the petitioner, however, till date only Rs. 8,50,000/- has been paid by the O.P. No. 2 to the petitioner and the remaining amount to be paid is of Rs. 6,50,000/-. It is submitted by the learned counsels for the parties that at the time of filing the said divorce petition on mutual consent Rs. 3,00,000/- shall be paid through bank draft by O.P. No. 2 to the petitioner. They also submit that in view of the settlement between the parties, after filing of said divorce petition by the parties, the petitioner shall withdraw the pending Maintenance Case against the O.P. No. 2 in the competent court in accordance with law and on payment of Rs. 2,00,000/-, by O.P. No. 2 to petitioner after three months of presentation of said divorce petition, the petitioner shall withdraw the pending 498A case against the O.P. No. 2. It is further agreed between the parties that at the time of statement of parties at second motion in Section 13B petition before the competent court, the O.P. No. 2 shall pay the final installment of Rs. 1,50,000/- as full and final settlement between the parties. Learned counsel for the parties further agreed that all the



payment made by the O.P. No. 2 to the petitioner shall be in the form of bank draft.

4. Learned counsel for the petitioner submits that in view of the aforesaid settlement between the parties, this case may be disposed of with liberty to the petitioner to file a fresh petition for cancellation of bail if the O.P. No. 2 does not make the said payment as per the aforesaid settlement.

5. Learned APP for the State and learned counsel for the O.P. No. 2 have no objection to this prayer of the petitioner.

6. In view of the submissions of the learned counsel for the parties, this Cr. Misc. application is disposed of with liberty to the petitioner as prayed for.

(Sunil Dutta Mishra, J)

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