

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64270 of 2024

Arising Out of PS. Case No.-390 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

Pushkar Anand S/o Shri Rabindra Choudhary@ Rabindra kumar choudhary
Resident Of Village Wajidpur Bazar , P S Vidyapati Nagar, District-
Samastipur Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Akanksha D/o Nand Kumar Chaudhary R/o vill - Wajidpur Bazar,
P.S. - Vidyapati Nagar, Distt. - Samastpur, Presently residing at Mohalla -
Bhagwanpur Chakshekhu, ward no. 1, P.S. - Dalsinghsarai, Distt. -
Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Saket Tiwary, Advocate
For the State	:	Md. Ataur Rahman, APP
For Opposite Party No.2	:	Mr. Mritunjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 08-01-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 498A, 323 and 406 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

3. At the outset, learned counsel appearing on behalf of the petitioner submits that during pendency of this case, the dispute between the parties has amicably been resolved and both parties arrived at a compromise by way of permanent alimony (one time settlement) and as per the said compromise, the



petitioner has to pay Rs. 10,00,000/- (Ten Lakh Rupees) to the complainant/Opposite Party No. 2. It is further submitted that in support of the aforesaid submission, a supplementary-affidavit has been filed on behalf of the petitioner wherein it has been stated that the first installment of Rs. 4,00,000/- (Four Lakh Rupees) shall be paid by the petitioner to the complainant/Opposite Party No. 2 at the time of filing of divorce application by mutual consent. The second installment of Rs. 3,00,000/- (Three Lakh Rupees) shall be paid by the petitioner to the complainant/Opposite Party No. 2 at the time of admission/first motion of the application of divorce filed by mutual consent of the parties and the third installment of Rs. 3,00,000/- (Three Lakh Rupees) shall be paid by the petitioner to the complainant/Opposite Party No. 2 at the time of final motion of the application of divorce. It is further submitted that in terms of the compromise, the complainant/Opposite Party No. 2 shall withdraw the present complaint case bearing Complaint Case No. 390 of 2022.

4. Learned counsel for the complainant/Opposite Party No. 2 does not controvert or dispute the aforesaid contentions raised on behalf of the petitioner and confirms the fact regarding the settlement entered into between the parties.



5. Considering the fact that dispute between the parties has already been resolved, the prayer for grant of anticipatory bail to the petitioner is allowed.

6. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged 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 Additional Chief Judicial Magistrate 1st, Dalsingsarai, Samastipur, in connection with Complaint Case No. 390 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that the petitioner shall abide by all the terms & conditions of the compromise, mentioned here in above, failing which, learned Court below shall be at liberty to cancel the bail-bond of the petitioner.

(Prabhat Kumar Singh, J)

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