

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63383 of 2024

Arising Out of PS. Case No.-1648 Year-2023 Thana- SARAN COMPLAINT CASE District-
Saran

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Raushan Sah Son of Badri Shah resident of village- Jaitiya, PS- Manjhi,
Distric- Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanju Devi Wife of Raushan Shah Daughter of Thakur Shah, resident of
village- Kopa, Dakshin Tola, PS- Kopa, District- Saran at Chapra

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 05-06-2025 1. Heard learned counsel for the petitioner, learned

APP for the State and learned counsel for the opposite party

no.2.

2. The petitioner in this application prays for bail
apprehending his arrest in connection with Complaint Case
no.1648 of 2023 registered for the offence punishable under
sections 498A and 34 of the Indian Penal Code and section 4 of
the Dowry Prohibition Act.

3. It may be stated here that by order dated
17.12.2024 passed in the instant case, as jointly prayed, the
matter was referred to the Mediation Centre at the Patna High
Court for resolving the dispute amicably. A report dated



28.2.2025 of the Mediator has been received stating therein that the dispute between the parties has been resolved and the terms of settlement mutually agreed upon by them is attached with the report.

4. The entire terms of settlement as enclosed with the report of the Mediator is being reproduced herein below for ready reference:

***“Patna High Court Mediation Centre
Memorandum of Agreement
Mediation Proceeding No.19 of 2025
[Arising out of Cr.Misc. No.63383 of 2024]
An agreement made on 28.02.2025 at the High Court
Patna Mediation Centre, between,
Raushan Sah, Son of Badri Shah, Village-Jaitiya, P.S.-
Manjhi, District-Saran at Chapra.
..... Petitioner/ (First Party)
And
Sanju Devi, wife of Raushan Shah, Village-Kopa,
Dakshin Tola, P.S.-Kopa, District-Saran at Chapra.
.....Opposite Party No.2/(Second party)
Both the parties appeared in the
Mediation Proceeding along with their Advocates
and ready to resolve the dispute through the
Mediation Proceeding on the following terms and
conditions:-***

1. That after great persuasion both the parties agreed to live separately and for this the Petitioner (Raushan Sah) offered to pay Rs.2,00,000/-(Rupees Two Lakh Only) as full and final settlement amount to the Opposite Party No.2



(Sanju Devi). Opposite Party No.2 accepted the offer and gave her consent.

2. That the husband/petitioner agreed to pay the aforesaid settlement amount of Rs.2,00,000/-(Rupees Two Lakh Only) in instalment in following manner:-

(A) The Petitioner (Raushan Sah) shall pay first instalment of Rs.50,000/- (Rupees Fifty Thousand) before the Patna High Court Mediation Centre, Patna. Second instalment of Rs.50,000/- (Rupees Fifty Thousand) shall be paid as the time of furnishing bail bond at the Ld. Court below. Rest the amount of Rs.1.00,000/-(Rupees One Lakh) shall be paid at the time of filing of divorce petition U/s 13(B) of Hindu Marriage Act & withdrawal of present Case Saran Complaint Case No.1648 of 2023 before the concerned Court, Saran. The payment shall be through Bank Draft/RTGS/issued in the name of Opposite Party No.2 namely Sanju Devi.

3. 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, Saran within two weeks after disposal of the Criminal Miscellaneous No.63383 of 2024 as well as file Compromise petition for withdrawal of Complaint Case No.1648 of 2023 before the concerned Court.

4. That both the parties have further agreed to withdraw 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.

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

6. 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, Saran as mentioned above and after that both the parties are free to lead their life as per their own will.

7. That the above contents of the agreement have been read over and explained to us in Hindi which are have fully understood and accepted there upon.

8. That in the above terms and conditions the present settlement has been arrived at between the parties and both parties have signed in presence of their learned counsels, who have also put their signature on this agreement.

(Raushan Sah)

Signature of the petitioner no.2

Date-28.02.2025

(Sanju Devi)

Signature of the opposite party

Date-28.02.2025”

5. Heard learned A.P.P. for the State and learned counsel for the opposite party no.2.

6. In view of the facts and circumstances of the case and the parties having arrived at a settlement, the terms of which has been reproduced herein above and the sum of Rs.50,000/



have already been paid by the petitioner to the complainant, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, be released on bail in connection with Complaint Case no.1648 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. IV, Saran at Chapra.

(Partha Sarthy, J)

Saurabh/-

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